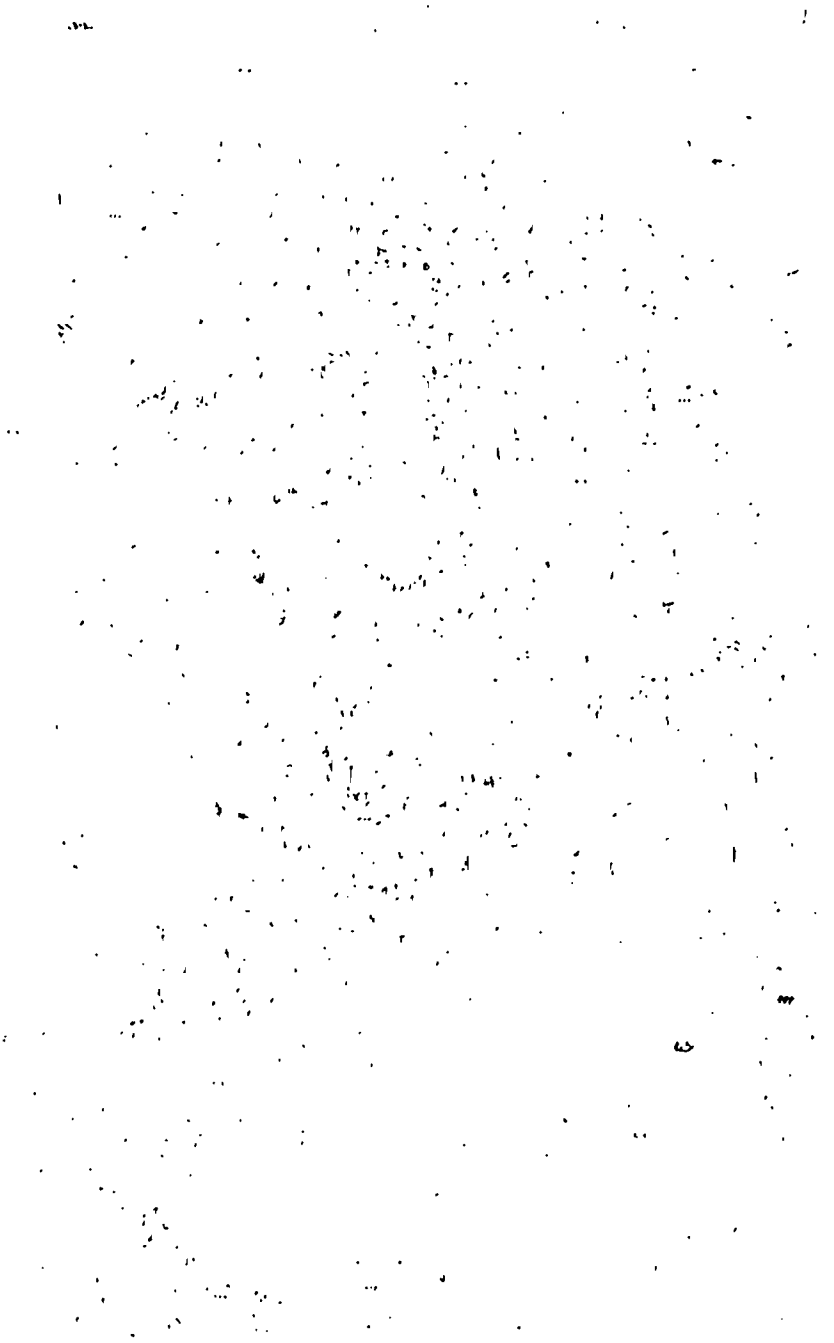
00031348

BOMBAY BRANCH
OF THE
ROYAL ASIATIC SOCIETY
TOWN HALL, BOMBAY.

Digitized with financial assistance from the
Government of Maharashtra
on 02 January, 2016



THE

# HISTORY

OF

# ENGLAND,

FROM

*THE ACCESSION*

OF

GEORGE THE THIRD,

TO THE

*CONCLUSION OF PEACE*

IN THE YEAR

*ONE THOUSAND SEVEN HUNDRED AND EIGHTY-THREE.*

By JOHN ADOLPHUS, ESQ. F.S.A.

THE THIRD EDITION.

IN THREE VOLUMES.

VOL. II.

31348
ae

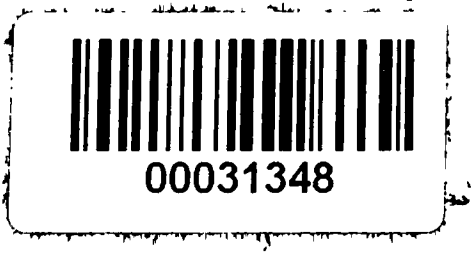
*LONDON:*

PRINTED FOR T. CADELL AND W. DAVIES,

IN THE STRAND.

1810.

Adolphi
31348



# CONTENTS

OF

# THE SECOND VOLUME.


## CHAP. XX. 1770—1774.

*AFFAIRS of India*, page 2.—*Cauſes of miſmanagement*, ib.—*Loſs of the ſupervifors*, ib.—*Famine in India*, 3.—*Retention of the ſums ſtipulated by treaties*, 4.—*Effect of theſe events in England*, 5.—*Select committee appointed in the houſe of commons*, 7.—*Increaſing diſtreſs of the company*, ib.—*They negotiate a loan*, 8.—*appoint new ſupervifors*, ib.—*Notice of their affairs in the ſpeech from the throne*, ib.—*Secret committee appointed*, 9.—*Select committee continued*, ib.—*Firſt committee of the ſecret committee*, ib.—*Debate on the motion for a bill to prevent ſending out ſupervifors*, 9.—*Petition of the directors againſt the bill*, 11.—*Bill paſſes*, 12.—*Dividends reduced*, 13.—*Application to parliament for a loan*, ib.—*Reſtrictions on the company*, 14.—*Leave granted to export tea, duty free, to America*, ib.—*General regulations*, ib.—*Attack on lord Clive*, 15.—*his defence*, ib.—*Renewed attack*, 18.—*Motion of General Burgoyne*, 19.—*Charge againſt lord Clive relative to the depoſition of Surajah Dowlah*, ib.—*his defence*, 20.—*Exculpatory reſolution*, 23.—*Continued rancour againſt him*, ib.—*his death*, 25.—*Conteſt with the Black Carribs of St. Vincent's*, ib.—*Early hiſtory of the iſland*, ib.—*The French obtain a ſettlement*, 26.—*The iſland ceded to Great Britain*, 27.—*Proceedings of government*, 28.—*Conduct of the Carribs*, ib.—*Survey ordered*, 29.—*Hoſtility of the Black Carribs*, ib.—*Artifices of the French*, 30.—*Alarms and remonſtrances of the Planters*, 31.—*Orders of government*, 32.—*Repreſentations of the planters to the king*, 33.—*Treachery of the French*, 35.—*Hoſtile operations againſt the Carribs*, 37.—*Diſcuſſion in the houſe of commons*, ib.—*Mr. Townſhend's motions*, 39.—*Termination of the conteſt*, 40.—*Increaſe of pay of captains in the navy*, 41.—*Bill for relief of diſſenters, rejected*, ib.

## CHAP. XXI. 1771—1774.

*View of the war between Ruſſia and the Porte*, page 43.—*Succeſs of Ruſſia*, ib.—*Deſtruction of the Turkiſh fleet*, 44.—*Jealouſy of France*,

*France*, ib.—*Congreſs at Fokſhiani*, ib.—*Preparations of France*, ib.—*Augmentation of the Britiſh naval force*, 45.—*Preparations at Breſt*, ib.—*Conference of lord Stormont with the French miniſter*, ib.—*Armament at Breſt diſcontinued*, 46.—*New one at Toulon*, ib.—*Preparations in England*, ib.—*France deterred from hoſtilities*, 47.—*Peace between Ruſſia and the Porte*, 48.—*Tranſactions of the city of London*, ib.—*Reſolutions reſpecting the duration of parliament*, ib.—*Addreſs and remonſtrance to the king*, ib.—*Ineffectual efforts to revive the popularity of Wilkes*, 49.—*State of Ireland*, 50.—*Meeting of parliament*, ib.—*The houſe ſurrounded by a mob*, ib.—*Oppoſition to, and proteſt againſt the addreſs*, ib.—*Reſignation of Mr. Ponſonby*, 51.—*Proceedings in the enſuing ſeſſion*, ib.—*Addreſſes oppoſed*, ib.—*Amended money bill rejected*, 52.—*Alterations in the eſtabliſhment of revenue officers*, 53.—*Hearts of Steel*, ib.—*Loan negotiated*, ib.—*Prorogation of parliament*, 54.—*Lord Townſhend recalled*, ib.—*ſucceeded by lord Harcourt*, ib.—*Affairs of America*, ib.—*Conteſt of the New England aſſembly with the governor*, 55.—*Taxation of revenue officers*, ib.—*Addreſs*, 56.—*Remonſtrance*, ib.—*and prorogation of the aſſembly*, ib.—*Progreſs of oppoſition*, 57.—*Influence in the aſſembly*, 58.—*Perverſe uſe of the preſs*, ib.—*Dependent ſtate of the judges*, 59.—*Governors prohibited from receiving preſents*, ib.—*Proceedings of the aſſembly*, 60.—*Legiſlature removed back to Boſton*, ib.—*Tumultuous ſtate of that town*, ib.—*Revenue officers inſulted*, ib.—*The ſchooner Gaſpee burnt*, 61.—*Report of the intention to fix the ſalaries of the judges*, ib.—*Town meeting*, ib.—*Correſponding committees appointed*, 62.—*Declaration of rights*, 63.—*Addreſs to the people*, ib.—*Meeting of the legiſlature*, 64.—*they deny the legiſlative authority of parliament*, ib.—*Tranſactions reſpecting the ſalaries of judges*, ib.—*Activity of the correſponding committees*, 66.—*Publication of letters from Hutchinſon and Bernard*, ib.—*Proceedings of the aſſembly*, 67.—*they petition the king to remove the governor and lieutenant-governor*, 68.—*Effect of the publication in America*, 69.—*Effect of the act for exporting tea, duty free*, ib.—*Proceedings at Boſton*, 70.—*Arrival of a ſhip*, ib.—*Body meeting*, ib.—*Other ſhips arrive*, 71.—*Their cargoes thrown into the ſea*, ib.—*Proceedings in other provinces*, ib.—*Impeachment of the chief juſtice*, ib.—*his letter*, 72.—*Aſſembly diſſolved*, ib.

## CHAP. XXII. 1774.

*Meeting of parliament*, page 73.—*King's ſpeech*, ib.—*Peace eſtabliſhment*, ib.—*Woodfall and Horne brought before the houſe of commons for a libel*, 74.—*and diſcharged*, 75.—*Act for trying the merits of controverted elections made perpetual*, ib.—*Petition from Maſſachuſſett's Bay heard before the privy council*, 77.—*Franklin diſmiſſed from the poſt office*, ib.—*American papers laid before parliament*, ib.—*The king's meſſage*, ib.—*Bill for ſhutting*

*Boſton port*, 76.—*its progreſs through the houſe of commons*, 77.—*Petition from the Americans reſident in London*, 80.—*Oppoſition in the houſe of lords*, 81.—*Bill for regulating the government of Maſſachuſſett's Bay*, 85.—*Proceedings in the houſe of commons*, ib.—*Proteſt in the upper houſe*, 86.—*Bill for the impartial adminiſtration of juſtice in America*, 92.—*Oppoſition in the lower houſe*, 94.—*Debates and proteſt in the lords*, 97.—*Second petition from the Americans in London*, 98.—*Motion for repealing the duty on tea*, 100.—*Burke's famous ſpeech*, 101.—*Lord Chatham's ſpeech on American affairs*, 104.—*Bill for the government of Canada*, 107.—*View of the bill*, ib.—*and of the oppoſition and defence in both houſes*, 109.—*Petition from the Penn family*, 110.—*and from the Canada merchants*, 111.—*Evidence examined*, ib.—*Petition to the king*, 113.—*Cloſe of the ſeſſion*, ib.

## CHAP. XXIII. 1774.

*Proceedings in Maſſachuſett's Bay*, page 115.—*Arrival and effect of the Boſton port act*, 116.—*The cauſe of Boſton eſpouſed in ſeveral colonies*, 117.—*The aſſembly of Maſſachuſſett's Bay removed to Salem*, 118.—*their addreſs to the governor*, ib.—*Members appointed to a general congreſs*, 119.—*Recommendations to the people*, ib.—*Diſſolution of the aſſembly*, 120.—*Town meeting at Boſton*, ib.—*Addreſs of the merchants and freeholders at Salem to the governor*, ib.—*Solemn league and covenant*, 121.—*Efforts at conciliation*, 122.—*Drafts of the other bills arrive*, ib.—*Their effect*, ib.—*Arrival of troops*, 123.—*Alarm on placing guard at Boſton neck*, ib.—*New council formed*, ib.—*Juries and law officers refuſed to act*, 124.—*Militia diſarmed, and ſtores ſeized*, ib.—*Public reſentment*, ib.—*Boſton neck fortified*, ib.—*Outrages of the people*, ib.—*they arm*, 125.—*Suffolk meeting*, ib.—*their reſolves and remonſtrance*, 127.—*Gage's anſwer*, ib.—*The aſſembly meet in defiance of the governor*, ib.—*Reſolve themſelves into a provincial congreſs*, ib.—*Their remonſtrance*, 128.—*Gage's anſwer, and proclamation*, ib.—*Sitting of the general congreſs at Philadelphia*, 129. *Formation*, ib.—*Mode of voting*, 130.—*Secrecy in debate*, ib.—*Detached proceedings*, ib.—*Declaration of rights*, 131.—*Aſſociation*, 133.—*Addreſs to the people of Great Britain*, 134.—*to the colonies*, 135.—*to the people of Quebec*, ib.—*Petition to the king*, 136.—*Inſtructions to their agents*, 138.—*Diſſolution*, ib.—*Obſervations on their proceedings*, ib.—*Effects of the congreſs*, 141.—*Royal proclamation*, ib.—*Inſurrection at Rhode Iſland*, ib.—*and in New Hampſhire*, 142.

## CHAP. XXIV. 1774.

*View of Government and oppoſition*, page 143.—*Independency the real aim of the Americans*, ib.—*Effect of correſponding committees*,

*tees*, 144.—*Of the proceedings in Maſſachuſett's Bay*, 145.—*Of the acquiſition of Canada*, ib.—*Of the proceedings of congreſs*, ib.—*Of the efforts of oppoſition in England*, 146.—*Of the acts of laſt ſeſſion*, ib.—*Of the debates on them*, 147.—*Firſt effects of the Boſton port act*, 148.—*Publications in England*, 149.—*Irreſolution of miniſtry*, 152.—*Diſſolution of parliament*, ib.—*Teſts propoſed*, ib.—*Characters of leading men in both houſes*, 153.

## CHAP. XXV. 1774—1775.

*Meeting of parliament*, page 167.—*King's ſpeech*, ib.—*Amendment moved*, 168.—*Proteſt*, ib.—*Seamen reduced*, ib.—*Papers laid before parliament*, 169.—*Lord Chatham's motion for removal of troops*, ib.—*negatived*, 170.—*He moves for leave to bring in a bill for quieting the troubles in America*, ib.—*Perſonal altercations*, 180.—*Intemperate ſpeech of lord Chatham*, ib.—*reply*, 181.—*Petitions in favour of the Americans*, ib.—*referred to a committee*, 182.—*Petition of Dr. Franklin and others*, 183.—*rejected*, ib.—*Committee on American papers*, ib.—*Addreſs*, 184.—*Conference*, 187.—*Debate in the houſe of lords*, ib.—*Perſonal altercation*, 188.—*Proteſts*, 189.—*Augmentation of forces*, ib.—*New England reſtraining bill*, ib.—*oppoſed in the houſe of lords*, 192.—*Bill for reſtraining other colonies*, 193.—*Bounties to Ireland*, 194.—*Lord North's conciliatory propoſitions*, ib.—*Embarraſſment of the miniſter*, 196.—*he is extricated by Sir Gilbert Elliott*, 197.—*Reſolution agreed to*, 199.—*Burke's motion*, ib.—*rejected*, 206.—*Mr. Hartley's plan*, 207.—*negatived*, ib.—*New York remonſtrance*, ib.—*rejected*, 208.—*Attempt to repeal the Quebec act*, 209.—*Other proceedings*, ib.—*Prorogation*, ib.

## CHAP. XXVI. 1775—1776.

*State of Boſton*, page 211.—*Conduct of New York*, 212.—*Meeting of the provincial congreſs of Maſſachuſett's Bay*, ib.—*Proceedings in other provinces*, 213.—*Attempt of Gage to ſeize cannon at Salem*, ib.—*Expedition to Concord*, 214.—*Hoſtilities at Lexington*, 215.—*Contradictory ſtatements*, 216.—*Blockade of Boſton by the Americans*, 217.—*Exertions of the provincial congreſs*, 218.—*Lord North's conciliatory propoſitions referred to the aſſembly of Pennſylvania*, 219.—*and rejected*, 220.—*The ſame in other colonies*, ib.—*Sitting of the general congreſs*, 221.—*Their firſt meaſures*, ib.—*Arrival of reinforcements*, ib.—*Gage proclaims martial law*, 222.—*Bunker's Hill fortified by the Americans*, 223.—*Stormed by the Engliſh*, 224.—*Proceedings of congreſs*, 226.—*Acceſſion of Georgia to the confederacy*, 227.—*Waſhington appointed commander in chief*, ib.—*Declaration of congreſs*, 228.—*State of their army*, 229.—*Inertneſs of the Britiſh army*, 230.—*Congreſs vote an addreſs to the legiſlature of Jamaica*, ib.—*Reject the conciliatory propoſitions*, ib.—*Expedition*

*dition againſt Canada undertaken*, 231.—*Capture of Ticonderago*, ib.—*Crown Point*, 232—*Skeneſborough*, ib.—*and the ſloop Enterprize*, ib.—*Diſſimulation of congreſs*, ib.—*Their addreſs to the people of Canada*, ib.—*Exertions of general Carleton*, 233.—*Canada invaded*, 234.—*Siege of St. John's*, ib.—*Fort Chamblee taken*, ib.—*St. John's capitulates*, ib.—*Ethan Allen taken priſoner*, 235.—*Montreal evacuated*, ib.—*Expedition of Americans through the wilderneſs*, ib.—*Maclean defends Quebec*, 236—*Arnold repulſed*, ib.—*Judicious proceedings of Montgomery*, 237.—*joins in beſieging Quebec*, 238.—*State of the American army*, ib.—*Aſſault of Quebec*, ib.—*Death of Montgomery*, 239—*Failure of the enterprize*, ib.—*Quebec blockaded*, ib.—*Tranſactions in Virginia*, 240.—*Lord North's propoſitions rejected*, ib.—*Conteſt between lord Dunmore and the aſſembly*, 241.—*He retires on board a man of war*, 242.—*Carries on predatory hoſtilities*, 243.—*Proclaims martial law*, ib.—*Emancipates the ſlaves*, ib.—*Town of Norfolk burnt*, 244.—*Lord Dunmore abandons the colony*, 245.—*Failure of Connelly's project*, ib.—*Tranſactions in North Carolina*, ib.—*The governor driven away*, ib.—*The like in South Carolina*, 246.—*Aſcendency of congreſs*, ib.—*Gage recalled*, 247.—*Americans iſſue letters of marque*, ib.—*Falmouth deſtroyed*, ib.—*General view of events*, ib.

## CHAP. XXVII. 1775—1776.

*Proceedings in the city of London*, page 249.—*Addreſs to the king*, ib.—*his anſwer*, 250.—*Conteſt reſpecting the right of preſenting petitions to the king on the throne*, 251.—*Addreſs of Congreſs to the people of Great Britain*, 252.—*To the people of Ireland*, ib.—*Proclamation againſt rebellion*, 253.—*Petition of Congreſs to the king*, ib.—*Anſwer from the ſecretary of ſtate*, 255.—*Effects of the anſwer*, ib.—*Popularity of the meaſures of government*, 256.—*Tranſactions in parliament till the Chriſtmas receſs*, ib.—*King's ſpeech*, ib.—*Oppoſition to the addreſs in both houſes*, 258.—*Proteſt*, 261.—*Debates on the employment of foreign troops in garriſons*, ib.—*Bill of indemnity*, 262.—*Motion of cenſure*, ib.—*both rejected*, 263.—*Bill for aſſembling the militia*, ib.—*Eſtimates*, ib.—*Motion by the duke of Grafton*, 264.—*Land-tax fixed at four ſhillings in the pound*, 267.—*Nova Scotia petition*, 268.—*Debate on the petition of congreſs to the king*, 269.—*Mr. Penn examined as a witneſs*, 270.—*The duke of Richmond's motion*, 271.—*Burke's conciliatory bill*, 275—*rejected*, 277.—*Hartley's propoſitions*, 278—*rejected*, 280.—*Bill for prohibiting commercial intercourſe with America*, ib.—*Debated in the lords*, 283.—*Paſſed*, ib.—*Receſs*, 286.—*Changes in adminiſtration*, ib.—*Lord George Germain, ſecretary of ſtate for America*, ib.—*his character*, ib.—*Other changes*, 287.—*Deſpondency of adminiſtration*, 288.

## CHAP. XXVIII. 1775—1776.

*State of Ireland*, page 289.—*Effect of the American conteſt*, ib.—*Money bill rejected*, 290.—*Contract reſpecting troops*, ib.—*Debated in the Britiſh parliament*, 291.—*Debate on the treaties with German princes*, 293—*In the houſe of lords*, 296. *Motion by the duke of Richmond*, ib.—*Debate on the army extraordinaries*, 301.—*The duke of Grafton's conciliatory propoſition*, 302.—*Mr. Hartley's propoſition to place America on the ſame footing as Ireland*, 307.—*Sawbridge's motion for that purpoſe*, ib.—*Fox's motion for a committee of inquiry*, 326.—*Wilkes's motion for a reform of parliament*, 309.—*Trial of the ducheſs of Kingſton*, ib.—*Motion for inſpecting the powers of commiſſioners*, 310—*Againſt prorogation*, ib.—*King's ſpeech on terminating the ſeſſion*, ib.—*View of the conduct and politics of foreign powers*, ib.—*State of the preſs in England*, 316.—*Re-eſtabliſhment of tranquillity in the city*, 318.

## CHAP. XXIX. 1775—1776—1777.

*Tranſactions in America*, page 321.—*Efforts of general Howe*, ib.—*State of the American army*, ib.—*Inactivity of the Britiſh army*, 322.—*Waſhington takes poſſeſſion of Dorcheſter heights*, 323.—*Evacuation of Boſton*, 324.—*Severities againſt loyaliſts*, ib.—*Campaign in Canada*, 325.—*Exertions of congreſs and of Arnold*, ib.—*Carleton makes a ſally*, 326.—*Blockade of Quebec raiſed*, 327.—*Action at Trois Rivieres*, ib.—*The Americans evacuate Canada*, 328.—*Great exertions on both ſides to prepare naval force*, ib.—*The American fleet defeated and deſtroyed*, 329.—*Proceedings in North Carolina*, 331—*Loyaliſts defeated*, ib.—*Expedition to Brunſwick*, 332.—*Unſucceeſsful atttempt on Sullivan's Iſland*, ib.—*Proceedings in congreſs*, 335.—*Efforts to attain independence*, ib.—*Publications*, ib.—*Common ſenſe*, ib.—*Congreſs recommend to the ſeveral colonies to new-model their governments*, 336.—*Declaration of rights*, 339.—*Diſcuſſion of independency*, ib.—*it is carried*, 340.—*Declaration of Independency*, ib.—*its reception by the people and the army*, 343.—*Britiſh plan of campaign*, 344.—*Arrival of lord Howe*, 345.—*Attempt to negotiate with Waſhington*, ib.—*reſiſted on a plea of form*, ib.—*Further efforts*, 346.—*Letter to Franklin*, ib.—*Battle of Brooklyn*, 347. *Retreat of the Americans to New York*, 349.—*Renewed negotiation*, 350.—*Committee of Congreſs confer with the Britiſh commiſſioners*, 352.—*Treaty terminated*, 353.—*Declaration of the commiſſioners*, 355.—*Preparations for the attack of New York*, ib.—*Capture of the city*, 357.—*which is ſet on fire by American incendiaries*, 358.—*Battle of White Plains*, 359.—*Capture of Fort Waſhington*, 361.—*Succeſsful invaſion of New Jerſey*, ib.—*Diſpoſition of the Britiſh troops in winter quarters*, 362.—*Expedition to Rhode Iſland*, ib.—*Capture of general Lee*, 363.—*Exertions*

*Exertions of congreſs*, 364.—*Articles of confederation*, ib.—*Other meaſures*, 365.—*They retire to Baltimore*, 366.—*Miſerable ſtate of their army*, ib.—*The Heſſians ſtationed at Trenton ſurpriſed by Waſhington*, 369.—*Lord Cornwallis returns to the Britiſh army*, 371.—*Waſhington ſurpriſes Princeton*, ib.—*and recovers the Jerſeys*, 373.—*General obſervations on the campaign*, ib.

CHAP. XXX. 1776—1777.

*Meeting of parliament*, page 377.—*King's ſpeech*, ib.—*Debate on the addreſs*, 378.—*Difference in opinion among the members of oppoſition*, 385.—*Debate on the proclamation at New York*, 386.—*Partial ſeceſſion of oppoſition*, 389.—*Receſs*, 391.—*Attempt to burn the royal arſenals*, ib.—*Bill for ſuſpending the habeas corpus*, 392.—*Amended in the committee*, 394.—*Act for iſſuing letters of marque*, 395.—*Lord Chatham's motion reſpecting America*, 396.—*Debates on taxes and ſupplies*, 404.—*King's meſſage reſpecting the arrears of the civil liſt*, ib.—*Supply granted*, 405.—*Debate and proteſt in the lords*, 406.—*Speech of Sir Fletcher Norton on preſenting the bill to the king*, 407.—*He is thanked by the houſe*, ib.—*Debate on the ſubject*, 408.—*His conduct more deciſively approved*, 409.—*Cloſe of the ſeſſion*, ib.—*King's ſpeech*, ib.—*State of the public mind*, ib.—*State and views of foreign powers with reſpect to Great Britain*, ib.

CHAP. XXXI. 1776—1777.

*Extenſive powers granted to Waſhington*, page 416.—*American oath of allegiance*, 417.—*Waſhington's proclamation*, ib.—*State of his army*, 418.—*Supplies from France*, 419.—*Expeditions*, ib. *To Peek's kill*, ib.—*Danbury*, ib.—*And other places*, 421.—*—American expedition to Sagg's harbour*, ib.—*Movement of Waſhington*, 422.—*Of the Britiſh army*, 423.—*Howe makes a feigned retreat*, ib.—*Action near Quibble town*, 424.—*Howe evacuates the Jerſeys*, ib.—*Capture of general Preſcott*, ib.—*The Britiſh army embarks for the Delaware*, ib.—*Lands at the head of Elk*, 425.—*Howe's proclamation*, ib.—*Battle of Brandywine*, 426.—*Surprize of general Wayne*, 428.—*Capture of Philadelphia*, ib.—*Strong defence of the Delaware*, 429.—*Billingſport taken*, 430.—*Action of German town*, 431.—*Attack on Red Bank*, ib.—*Loſs of the Auguſta and Merlin*, 432.—*The enemy's forts at length taken*, ib.—*Waſhington encamps at White Marſh*, 433.—*Huts his army at Valley Forge*, ib.—*Sir William Howe fixes in winter-quarters*, 434.—*Campaign of the northern army*, ib.—*Obſervations on the employment of ſavages*, ib.—*Burgoyne arrives at Crown Point*, 436.—*War feaſt*, 437.—*Speech and proclamation*, ib.—*Crown Point and Ticonderoga taken*, 438.—*Purſuit of the enemy*, ib.—*Delays and difficulties of Burgoyne's army*, 440.—*Proclamation by Burgoyne and Schuyler*, 441.—*Siege of Stanwix*

*Stanwix*, 442.—*Raiſed*, 443.—*Expedition to Bennington*, ib.—*Defeat of colonel Baum*, ib.— *And Breymann*, 444.—*Gates commands the Americans*, 445.—*Burgoyne advances to Saratoga*, 446.—*Battle of Still-water*, ib.—*The Americans deſtroy the tranſports*, 447.—*Increaſing difficulties of Burgoyne*, 448.—*His lines attacked*, ib.—*He falls back to Saratoga*, ib.—*And ſurrenders by convention*, 449.—*Proceedings of ſir Henry Clinton*, 450.—*Takes forts Clinton and Montgomery*, 451.—*The Americans burn their fleet*, 452.—*Burning of Eſopus*, ib.—*Examination of ſir Henry Clinton's conduct with reſpect to a co-operation with Burgoyne*, 453.

THE

THE

# HISTORY

OF

# ENGLAND.

## GEORGE THE THIRD.

### CHAPTER THE TWENTIETH.

1770—1774.

*Affairs of India.—Cauſes of miſmanagement.—Loſs of the Superviſors.—Famine in India.—Monopoly.—Extreme diſtreſs, and prodigious mortality.—Retention of the ſums ſtipulated by treaties.—Effect of theſe events in England.—Impotence of the Company.—Difficulties in regulating their tranſactions.—Their improvidence.—Select committee appointed in the houſe of commons.—Increaſing diſtreſs of the company.—They negotiate a loan.—Appoint Superviſors.—Notice of their affairs in the ſpeech from the Throne.—Secret committee appointed.—Select committee continued.—Firſt report of ſecret committee.—Debate on the motion for a bill to prevent ſending out ſuperviſors.—Proceedings of the Directors.—Their petition againſt the bill.—Burke's ſpeech.—Bill paſſes the houſe of Commons.—Oppoſed in the Lords.—Paſſed.—Dividends reduced.—Application to Parliament for a loan.—Reſtrictions on the company.—Leave granted to export tea, duty free, to America.—General regulations.—Oppoſition to theſe meaſures.—Attack on lord Clive.—His defence.—Renewed attack.—Motion of general Burgoyne.—Charge againſt lord Clive relative to the depoſition of Surajah Dowlah.—His defence.—Exculpatory reſolution.—Continued rancour againſt him.—He is ably defended by Wedderburne.—His death.—Conteſt with the Black Caribbs of St. Vincent's.—Early hiſtory of the iſland.—Diſtinction between Red and Black Caribbs.—The French obtain a ſettlement.—The iſland ceded to Great Britain.—Proceedings of government.—Conduct of the Caribbs.—Mr.*

*Young's memorial.—Survey ordered.—Proceedings of the commiſſioners.—Hoſtility of the Black Caribbs.—Their further violences.—Artifices of the French.—Alarms and remonſtrances of the planters.—Efforts of the lieutenant-governor.—Orders of government.—Increaſing inſolence of the Caribbs.—Repreſentations of the planters to the king.—Deputation of the Caribbs to Grenada.—Interview between the Britiſh Commiſſioners and the Caribbs.—Treachery of the French.—Remonſtrances from the iſland.—Hoſtile operations againſt the Caribbs.—Diſcuſſion in the houſe of commons.—Witneſſes examined.—Mr. Townſhend's motions.—Termination of the conteſt.—Increaſe of pay of captains in the navy.—Bill for relief of diſſenters rejected.*

CHAP. XX.

1770. Affairs of India.

THE affairs of India now again claimed the attention of the public, and the interference of the legiſlature: the brilliant proſpect exhibited in 1765 was overcaſt: the accounts from that country preſented nothing but rapine, tyranny, and miſery; while the finances of the company ſeemed irreparably deranged, and their trade almoſt ſtagnant.

Cauſes of miſmanagement.

THE remoteneſs of the court of directors from the country ſubjected to their government facilitated abuſes, and rendered their commands contemptible and unavailing. Men who became rich by diſobeying the orders of their employers, and by an unprincipled diſregard of the ordinary dictates of juſtice, returned elated with their acquiſitions, and not only defied puniſhment, but their clamours againſt others, who had ſhared in or impeded their ſucceſs, rapidly augmented the wide-ſpreading and well-founded odium which prevailed againſt the adminiſtration in India.

Loſs of the Superviſors.

FORTUNE alſo combined againſt the company: the ſhip in which the Superviſors ſailed, from whoſe exertions the moſt beneficial effects were expected, was loſt, and no certain accounts ever arrived of the time or manner of the cataſtrophe: thus, for a time, abuſes were ſuffered to remain uncontrouled, becauſe the operation of the meaſure intended for ſuppreſſing them

them was ſuſpended, and, while the fate of the former Superviſors was uncertain, a new appointment could not, with propriety, be made. CHAP. XX. 1770.

In the year which ſucceeded the improvident and ruinous war with Hyder Ally, a great failure was occaſioned in the crops of rice, by the uncommon dryneſs of the ſeaſon. Notwithſtanding the ſtrict prohibitions of the court of directors againſt the interference of their ſervants in the inland trade, this opportunity was eagerly ſeized by intereſted and unprincipled individuals to enhance the public miſery, and accumulate immenſe fortunes from the groans of famine and deſpair. When the ſtate of the ſeaſon made it apparent that the crop of rice would be generally defective, the Engliſh capitaliſts became eager purchaſers, and ſuch was the effect of their pernicious induſtry, that the natives, before they apprehended the extent of their combinations, were already expoſed to the preſſure of diſtreſs, and complained to the nabob that the Engliſh had engroſſed all the rice. A traffic of unexampled iniquity now began; rice, which had been purchaſed at a hundred and twenty or a hundred and forty ſeers[a] for a rupee, was re-delivered to black merchants at the rate of fifteen ſeers for a rupee, an extortion ſufficient to reduce the inhabitants of India, whoſe chief food is rice, to utter deſpair; when their diſtreſs was increaſed by the burning of ſeveral granaries in which the black merchants had depoſited their purchaſes. The nabob and great men of the country having exhauſted their ſtores in benevolent donations to the poor, and the fields no longer affording the means of ſubſiſtence, the cities were thronged with ſtarving multitudes, who in the agonies of death implored a termination of thoſe miſeries from which they were

Famine in India.

Monopoly.

April and May.

Extreme diſtreſs of the natives.

[a] A ſeer is the fortieth part of a maund; a maund an undetermined quantity; in Bengal it is from 72 to 80 pounds; a ſeer may therefore be eſtimated about two pounds.

CHAP. XX.

1770. Prodigious mortality.

not permitted to hope relief. Thouſands died daily in the ſtreets; the air was infected with the unwholeſome exhalation; one hundred men were conſtantly employed on the company's account in Calcutta, with ſledges and other vehicles, to remove the dead, and throw them into the Ganges. Unuſual numbers of dogs, jackalls, and vultures flocked to the ſcene of deſolation, and by devouring the dead, added inconceivably to the general horrors of the ſpectacle. The Europeans, who no longer poſſeſſed any great quantity of rice, could not effectually relieve the miſerable Gentoos, and were themſelves ſufferers by this unexpected effect of their iniquitous monopoly: the river being filled with human carcaſes, fiſh was no longer conſidered wholeſome food; hogs, geeſe, and ducks, feeding alſo on the dead, mutton became the only innoxious aliment, and even this, from the nature of the ſeaſon, was poor and ſcarce. Thus were the miſerable natives haraſſed and deſtroyed, till means could be adopted for facilitating their ſubſiſtence till the next harveſt; and thus, by the act of intereſted individuals, tranſgreſſing no leſs the orders of their employers than the laws of humanity, was an unmerited reproach entailed on the Britiſh name. The company, far from being benefited, was irreparably injured by theſe iniquities, which tended only to the aggrandizement of ſpeculators, who acquired unlimited wealth, while the coffers of the directors remained empty, and their beſt hopes fruſtrated[b].

Retention of the ſums ſtipulated by treaties,

No ſpirited or general meaſure was attempted for the purpoſe of reſtoring order to government, and plenty to finance; but petty reſumptions, and violations of the treaty of 1765, were conſidered as the means of repairing the deficiency which threatened ruin to their affairs. With this view, orders were

28th May 1770.

[b] Account of the late dreadful famine in India.—Tranſactions in India, chap. v.

iſſued

iſſued by the ſelect committee, for their reſident to withhold at leaſt thirty lacks from the tribute and other allowances, ſo that the receipts might bear ſome proportion to the diſburſements [c].

Effect of theſe events in England.

It was not poſſible for the Britiſh nation to behold this progreſs of iniquity and calamity without ſentiments of anxiety and terror. The East India company was no longer a firm of merchants, trading on a private capital to a diſtant ſhore; the poſſeſſions in India were not ſimply beneficial appendages connected with the empire: but ſuch was the intermixture of their revenues with the public finance; ſuch the intimate intertexture of their commerce with the property and welfare of the ſtate; ſuch the union of intereſt and co-exiſtence of the company with government, that its ruin was regarded as portending downfal to the whole edifice of the Britiſh empire [d].

Impotency of the company.

The company could not, by themſelves, or the utmoſt exerciſe of any authorities with which they were inveſted, remedy the growing evils. They were, in fact, without importance in affairs over which they nominally preſided. Radical defects in their very inſtitution; their diſtance from the ſcene of action; their being individually called from narrow and confined occupations to the extenſive field of political management; their fugitive authority, the duration of which was merely ſufficient for the tranſportation of orders; and their want of acquaintance with the peculiar circumſtances of the regions committed to their ſuperintendence, rendered them liable to be deceived, diminiſhed their importance, and frequently ſanctioned a diſregard of their commands. It too often happened that a ſeat in the court of directors was ſolicited merely as a ſource of patronage, as

[c] Bengal ſelect conſultations. It is to be obſerved, that on the death of Najim ul Dowlah (8th May 1766) the allowance to the Nabob was reduced from 55 lacks to 41 lacks, 81,131 rupees a year.

[d] The right, intereſt, and duty of government, as concerned in the affairs of the East Indies, by governor Pownall, p. 4.

CHAP. XX. 1770.

the means of providing for relations and dependents; and while theſe motives were eaſily diſcernible, the beheſts of ſuch maſters, delivered in pompous diction, and with the inſolence of deſpotic power, met with little regard from thoſe to whom they were addreſſed, and who, in fact, only obeyed them when they accorded with their own views. Thoſe who returned enriched from India, and obtained ſeats at the board, made uſe of their authority in procuring their own immunity, and in protecting and ſupporting the friends whom they had left employed in the attainment of a ſurreptitious and exorbitant fortune [e].

Difficulties in regulating their tranſactions.

THE preſent ſtate of the company was a difficult problem in government: their charters guarantied both their authorities and poſſeſſions; but it was obvious, that neither ſuch poſſeſſions, nor ſuch authorities, were in view when the charters were granted, nor were they compatible with the nature of government, or ſupported by any precedent in ancient or modern hiſtory. On general principle, their poſſeſſions, in the excluſive ſenſe, were not tenable [f]; yet as they were gradually acquired, and the claims of the company were ſanctioned by official acts of ſtate [g], any attempt to diſturb them could not fail of being regarded with jealouſy and apprehenſion.

Improvidence of the company.

BUT the time was now arrived, when the active exertion of government became neceſſary. Malverſation had grown to a moſt awful extent: the company, with thoughtleſs prodigality, plunged into unlimited expences; they diſburſed, for fortifications alone, 3,728,552 *l.* [h]; and, although incapable of per-

[e] Hiſtory and management of the Eaſt India company, chap. vi.

[f] In the year 1757, the attorney and ſolicitor general, Meſſrs. Pratt and Yorke, united in opinion, that it was not warranted by precedent, nor agreeable to ſound policy, nor to the tenor of the charters which had been laid before them, to make a general grant, not only of paſt but of future contingent conqueſts, made upon any power, European or Indian, to a trading company. Governor Pownall's pamphlet, above quoted, p. 27.

[g] Particularly during the late treaty of peace at Paris.

[h] Firſt report of ſelect committee. Reports, vol. iv. p. 30.

forming

CHAP. XX. 1772.

forming their exiſting engagements, declared very high dividends; while the factions which rent the India houſe rather portended a perpetuation of diſtreſs, through anarchy, than an extrication from difficulty, by vigilance, prudence, and perſeverance.

30th Mar. 1772. Select committee appointed in the houſe of commons.

IN the late ſeſſion, a bill was propoſed, for regulating the ſervants and court of judicature of the Eaſt India company. This meaſure originated in the India houſe; the motion was made by Mr. Sullivan, deputy-chairman of the court of directors, who ſtated, that the bad proſpect of affairs in India was occaſioned by the want of power in the directors to puniſh their ſervants for diſobedience or mal-practices. The enormities complained of, he ſaid, aroſe from the ſoleciſm in politics, that the governors of a country were allowed to act as merchants, which gave birth to an odious and deſtructive monopoly. The bill, after ſome oppoſition, was brought in, but did not paſs; one of the great objections againſt it being the want of due information, a ſelect committee of thirty-one members was appointed[1], on the motion of colonel Burgoyne, to inquire into the nature, ſtate, and condition of the Eaſt India company, and of the Britiſh affairs in the Eaſt Indies. 13th Apr.

Increaſing diſtreſs of the company.

DURING the receſs of parliament, the diſtreſs of the company was conſiderably augmented: the inconveniences reſulting from miſconduct became preſſing, and increaſed, in an alarming degree. The treaſury was empty, and bills accepted, to an amount exceeding a million ſterling, were nearly payable; the company was indebted to the bank for caſh advanced, to the revenue for cuſtom-houſe duties, and

[1] The committee conſiſted of the following perſons: Colonel Burgoyne, Sir William Meredith, Sir George Savile, lord George Germaine, Roſe Fuller, F. Vane, Col. Barré, the attorney and ſolicitor general, lord Howe, Robert Sutton, Thomas Pitt, Welbore Ellis, Sir Gilbert Elliot, George Rice, Pulteney, C. J. Fox, Cornwall, lord Folkeſtone, general Conway, Beauchamp, H. Ongley, G. Johnſtone, alderman Trecothick, Edmund Burke, A. Crazon, Sir John Turner, captain Phipps, Mr. Gregory, lord Clive, and Mr. Strachey: any ſeven to be a committee.

CHAP. XX. 1772.

to the treaſury for the annual ſtipulated payment, as well as on an agreement reſpecting an indemnification for teas, which was attended with great loſs[k]. They were beſet with theſe and many other demands, while the intelligence from India preſented no conſolatory proſpects [l].

They negotiate a loan.

DISTRACTED with internal diſſenſions, and alarmed at the diſpoſition manifeſted by government to interfere deciſively in the arrangement of their affairs, fear and jealouſy were conſpicuous in all their proceedings. They were, however, obliged to negotiate with the miniſtry for a loan, to anſwer their immediate exigences; yet, as if anxious to ſhow an independence in authority which they no longer poſſeſſed the means of retaining, they raſhly proceeded to nominate a freſh committee of ſupervifors for India [m].

23d Oct. Appoint ſupervifors.

THE firſt lord of the treaſury received their application for a loan with haughty reſerve, and referred them to parliament, the meeting of which being intended for an early day, no meaſures were purſued for giving effect to the vote for new ſupervifors.

20th Nov. Notice of their affairs in the King's ſpeech.

IN this ſpeech from the throne on opening the ſeſſion, the king ſaid, "It is impoſſible that I can look with indifference upon whatever concerns either the commerce and revenue of the kingdom at large, or the private rights and intereſts of conſiderable numbers among my people: neither can I be inſenſible how materially every one of theſe great objects muſt be intereſted in the maintenance of the credit and proſperity of the Eaſt India company. When, therefore, I received information of the difficulties in

[k] Annual Regiſter 1773, p. 67. Hiſtory of lord North's Adminiſtration, p. 85.

[l] They ſuffered a ſevere loſs by the blowing up of a powder-magazine at Trichinopoly, which occaſioned a grievous and extenſive deſtruction of lives and property.

[m] The perſons nominated were lieutenant-general Monckton, George Cuming, William Devaynes, Peter Labelliere, Daniel Wier, and Edward Wheeler, eſqrs.

which

which that company appear to be involved, I determined to give you an early opportunity of informing yourſelves fully of the true ſtate of their affairs; and of making ſuch proviſions for the common benefit and ſecurity of all the various intereſts concerned, as you ſhall find beſt adapted to the exigencies of the caſe."

CHAP. XX. 1772.

In the debate on the addreſs, the ſubject came immediately under diſcuſſion, and as ſoon as that was voted, lord North moved for a ſecret committee of thirteen members, choſen by ballot, to take into conſideration the affairs of the company, which was agreed to without a diviſion[n]. This committee was furniſhed with full powers, and particularly inſtructed to take into conſideration the meaſure of ſending out ſupervifors. The ſelect committee of the preceding year, ſome members of which thought their labours too ſlightly regarded by the new nomination, was alſo revived.

Secret committee appointed.

30th Nov.

Select committee continued.

The ſecret committee proceeded in their buſineſs with extraordinary diſpatch, and in ſeven days after their appointment, preſented a report on the propoſed meaſure of ſending out ſupervifors, recommending a bill to prevent its being carried into effect.

First report of the ſecret committee.

Mr. Harley having delivered this report, as chairman of the committee, immediately propoſed to bring in the bill; the rapidity with which the report was prepared, and the unexpected manner in which it was introduced, did not eſcape animadverſion. Several directors, who were members, contended that the report was unconſtitutional and unneceſſary; as the expence attending the commiſſion was not yet aſcertained, and the directors had reſolved to ſuſpend their propoſed meaſure until the determination of parliament ſhould be known. Lord North, reaſoning

7th Dec. Debate on the motion for a bill to prevent the ſending out ſupervifors.

[n] The members were Alderman Harley, chairman, whoſe great uncle, the firſt earl of Oxford, was an arbitrator choſen to adjuſt the intereſts of the two Eaſt India companies, when they were united in 1701; lord Frederick Campbell, lord Palmerſtone, Meſſ. Rigby, Sandys, Jenkinſon, Jackſon, Fitzpatrick, Burrel, Ryder, Walpole, Fames, and Gilbert.

from

CHAP. XX. 1772.

from analogy, and a compariſon of the charges of the late commiſſion of ſuperviſorſhip with the preſent, inferred, that the expence could not be leſs than 120,000l. a year, and Mr. Wedderburne ſhewed the futility of the ſuppoſed promiſe of the court of directors. It was not in their power, he ſaid, to keep their engagement; they were inferior to a general court, and if, on the receſs of parliament, a general court were called, a ſhip might be ordered, and the ſupervifors many leagues at ſea before the houſes were again aſſembled: in ſuch a caſe, not the promiſe of the directors, not even the opinion of the two houſes, nothing but an act of parliament could be a ſufficient guaranty. Mr. Burke treated the propoſed meaſure as an invaſion of the company's charter, and a direct infringement of the law of the land. In ridicule of the ſecret committee, he ſaid, "Here is a committee appointed laſt year; a fair and open committee, which has produced nothing. This was a lawful wife publicly avowed; but finding her barren, they have taken a neat little ſnug one, which they call a ſecret committee: and this is her firſt-born. Indeed, from the ſingular expedition of this extraordinary delivery, I am apt to think ſhe was pregnant before wedlock." Continuing in the ſame vein of pleaſantry, intermixed with more ſolid argument, he obſerved, "If we ſuffer this bill to paſs, we ſhall, in fact, become the Eaſt India company; and you, Sir, will be ſeated in that chair, with a little hammer, by an inch of candle. The treaſury bench will be the buyers, and on this ſide we ſhall be the ſellers. The ſenate will become an auction-room, and the ſpeaker an auctioneer!" The motion was however adopted [o], and in three days afterward, the bill was introduced.

10th Dec.

Proceedings of the directors.

THE directors were not ſo depreſſed by untoward circumſtances, as to ſurvey theſe proceedings with indifference. On the appointment of the ſecret com-

[o] 114 to 45.

mittee,

mittee, a general court reſolved to petition againſt the right, which was claimed by parliament of inſpecting their books; but the rapid proceeding of the committee having fruſtrated that intention, they were now heard by counſel againſt the bill. Their petition, however, did not appear entitled to much attention, it was feebly compoſed, and ſigned by no more than fourteen proprietors of ſtock. They urged, as their grand point, that the malverſation in India being enormous in its amount and extent, the ſaving which might accrue to the company by a commiſſion of honeſt and able men, would be ſo great as to render the expence of trivial importance; but they failed in proving that the company poſſeſſed ſufficient authority over their ſervants in India to reſtrain thoſe abuſes which by long forbearance were grown inveterate. The increaſe of theſe mal-practices was clearly demonſtrated; and the odious means uſed to oppreſs the natives, without benefit to the company, fully diſplayed: but it was not advanced, that any powers, delegated by the company alone, could be ſufficient to remedy the evil, which was more likely to infect the ſupervifors themſelves, than to be removed by their exertions. Mr. Burke ſpoke with his accuſtomed wit and eloquence; and diſplayed (to uſe the words of an anonymous author) all thoſe rare qualities of the head and heart, with which he was ſo eminently gifted [p]. He inveighed, with ſeverity, againſt the conduct of miniſters, who, ſince the year 1767, had been receiving from the Eaſt India company four hundred thouſand pounds per annum, and yet conniving at their notorious mal-adminiſtration, for the purpoſe of ſubjecting them ſo entirely to their own mercy, that they might plunder their property, and invade their chartered rights without fear or ſcruple. Alluding to the dilatorineſs of the ſelect, and the extraordinary diſpatch of the ſecret committee, he ſaid,

CHAP. XX.

1772. 1ſt Dec. 14th and 18th Dec. Their petition againſt the bill.

Burke's ſpeech.

[p] Hiſtory of lord North's adminiſtration, p. 92.

CHAP. XX. 1772.

"One has been so slow in its motions that the company have given up, long since, all hopes of redress, from them; and the other has proceeded altogether as rapidly; so that no one knows where they will stop. Like the fly of a jack, the secret committee has gone round, hey go mad! the select committee has moved like the ponderous lead at the other end; and in that manner, have they roasted the Indian company." The reasonableness and absolute necessity of the proposed restrictions were, however, too evident to be removed by rhetorical ingenuity, and the motion for the third reading of the bill was carried by a majority, exceeding five to one [q].

Bill passes the commons.

Opposed in the house of lords.

In the upper house, the bill was principally opposed by the duke of Richmond, who as a proprietor of stock, was also conspicuous at the India house in resisting the measures of government. A petition was offered against the third reading, similar to that which was presented to the house of commons, and the same counsel heard, and evidence examined [r]. The debate was not distinguished by a great display of talent: the motion for the third reading was carried [s], and a protest, not remarkable for argument or inge-

23d Dec. Petition.

[q] 153 to 28.

[r] From the statements made to the house, it appeared, that the net duties paid to government of 1,000,000l. per annum, the indemnity upon tea, and the 400,000l. paid to government, amounted in the whole to an annual sum, little short of 2,000,000l. That the company lost by the indemnity agreement, since its commencement, at least 1,000,000l. of which 700,000l. was to be paid to government, and 300,000l. to the purchasers. That the sale of 31,000,000 pounds of tea, sold in the last five years, produced a sum less by 100,000l. than 21,000,000 pounds sold in the preceding five years: from which, it appeared, the company suffered a total loss of 100,000l. and 10,000,000 pounds of tea. That government had profited by the company, within the last five years, 3,395,000l. that is to say, 2,200,000l. being the produce of five years and a half of the 400,000l. per annum which the company stipulated to pay, and 1,195,000l. increase of the revenue on that branch, compared on a medium of the preceding five years. That the company's whole receipt of dividend, during the same period, was short of 900,000l. above six per cent. the lowest trading dividend in time of war; and on the whole, that the mercantile profits being on an average 464,000l. per annum during the above period, they would afford a dividend of twelve and a half per cent. from whence it was evident that government reaped an advantage of 3,395,000l. and the company or proprietary not a single shilling.

[s] Contents 26—Non-contents 6.

7 nuity,

nuity, ſigned by five peers, was entered on the journals. CHAP. XX.

1772.

DURING the receſs, the court of directors adopted a meaſure which prudence and integrity ought to have ſuggeſted at an earlier period: they reduced their dividend to ſix per cent. This palliative, for it was no more, could not however reſtore order to their finances; and the court, feeling the neceſſity of an application to parliament for a loan, endeavoured firſt to learn from the miniſter the general plan he intended to propoſe for the mutual good of the public and of the company. To the meſſage which conveyed the requeſt of information, lord North declined any reply, and the general court was obliged to paſs a vote, that application ſhould be made to parliament for a loan not exceeding 1,500,000l., for four years, at four per cent. with liberty to diſcharge the debt, by payments of three hundred thouſand pounds each.

Bill paſſed. 29th Dec. Dividends reduced.

12th Feb. 1773.

24th Feb. Application to parliament for a loan.

IN purſuance of this reſolution, a petition was preſented to parliament, propoſing that the company ſhould not make a dividend of more than ſix per cent. until one-half of the propoſed loan was diſcharged: that the ſurplus of the net profits ariſing in England above that dividend, ſhould be appropriated to the payment of the company's bond debt, until it was reduced to a million and a half; and thenceforward the ſurplus profits ſhould be equally divided between the public and the company. It was further requeſted, that the company ſhould be releaſed from the heavy penal intereſt incurred by non-payment of money due in conſequence of the late acts for indemnities on teas, and alſo diſcharged from the annual payment of four hundred thouſand pounds to the public, for the remainder of the five years ſpecified in the agreement. Lord North, in a committee of the whole houſe, after exculpating government from many inſinuations reſpecting the payment of four hundred thouſand pounds a year, moved a ſeries of reſolutions, which eſtabliſhing the

2d March. Petition.

9th March. Lord North's motion.

CHAP. XX. 1772.

the neceſſity of parliamentary aſſiſtance, and the propriety of a loan, ordered a ſupply of 1,400,000l. with a proviſo that due care ſhould be taken to prevent the recurrence of ſimilar exigencies.

23d March. Reſtrictions on the company.

THE regulations intended to produce this effect were, a reſtriction from making a greater dividend than ſix per cent. till the loan ſhould be repaid; from augmenting their dividend to a greater amount than ſeven per cent. till their bond debts ſhould be reduced to a million and a half; and no larger dividend than eight per cent. was to be allowed, until a participation of profits between the public and the company ſhould take place; which participation was thus defined; after payment of the required loan, and

5th April. the reduction of their bond debt to 1,500,000l. three-fourths of the net ſurplus of the territorial revenues of the company, to be paid into the exchequer, and the remaining one-fourth ſet apart, as a fund for diſcharge of contingent exigencies.

26th April. Leave granted to export tea duty free to America.

LORD NORTH afterward moved, that the company ſhould be permitted to export tea duty free to America; a permiſſion deemed highly beneficial, as ſeventeen millions of pounds were then in the warehouſes; and finally he propoſed his great plan for regulating the company's affairs, as well in India as in Europe,

General regulations.

the outline of which was, that the court of directors ſhould be elected for four years, ſix members annually, but none to hold their ſeats longer than four years: no perſon to vote at the election of directors who had not poſſeſſed his ſtock twelve months; the qualification inſtead of five hundred pounds to be one thouſand. That the juriſdiction of the mayor's court at Calcutta ſhould be confined to ſmall mercantile cauſes, to which alone it extended before the territorial acquiſition; in lieu of this court a new one was eſtabliſhed, conſiſting of a chief juſtice and three puiſne judges, appointed by the crown; and a ſuperiority was given

to

to the presidency of Bengal, over the other presidencies in India [t]. CHAP. XX.

THESE resolutions gave rise to many animated debates, in which the rights of the crown, the chartered privileges of the company, the conduct of ministers, and the expediency of the proposed measures, were severely arraigned, and ably defended. The East India company, the city of London, and the proprietors of stock, exceeding five hundred pounds, but not amounting to a thousand, petitioned against the bill. The company were heard by counsel; and even desired to withdraw their application for relief, declaring they would rather submit to temporary difficulties, than accept a loan on such severe conditions. But these efforts were unavailing: the bill framed in pursuance of the resolutions of the house was approved, and, on the third reading, passed by a large majority [u], the blanks being filled up by the names of Warren Hastings, esq. governor-general; and lieutenant-general Clavering, the honourable George Monson, Richard Barwell, and Philip Francis, esqrs., as counsellors for the presidency of Bengal. 1773. Opposition to these measures. 25th May. 10th June.

IN the house of lords, the bill also met with strenuous opposition, and occasioned two protests, signed by seven and by thirteen peers [w]. In the lords.

IN the course of the debates on India affairs, many reflections were made on the character and conduct of lord Clive. While the bill brought in by Mr. Sullivan was before the house, his lordship in a long and eloquent harangue, defended himself against the aspersions with which the press then teemed. His exculpation extended only to the transactions of his last government: he depicted, with force and truth, Attack on lord Clive. 30th Mar. 1772. His defence.

[t] The salaries of the judges were fixed at 8,000l. to the chief justice, and 6,000l. a year to each of the others. The governor-general was allowed 25,000l. a year, and the members of the council 10,000l. each.

[u] 131 to 21.

[w] The report of these proceedings is extremely imperfect in Debrett's debates; but I have been materially assisted by consulting the history of lord North's administration.

the

CHAP. XX. 1772.

the felicities of his ſituation, and the total want of any motive to ſtimulate avarice or ambition, when, in a precarious ſtate of health, he abandoned his home, his relations, and his eaſe, to viſit a diſtant and inſalubrious clime, on the invidious taſk of reformation. He ſtated the difficulties in which he was involved from the inſincerity of the court of directors in wording his inſtructions; how eaſily he might have added to his fortune, by conniving at, and participating in, the abuſes he was commiſſioned to reſtrain, or have conſulted his own eaſe, by reſigning himſelf to the indolence of deſpair. He, on the contrary, had purſued an intricate path, beſet with difficulties and dangers; the welfare of the company required vigorous exertion, and he took the reſolution of cleanſing the Augean ſtable. "It was that conduct," he ſaid, "which has occaſioned the ſcurrility and abuſe againſt me, with which the public papers have been filled ever ſince my return. That conduct occaſioned theſe charges; but that conduct enables me now, in day of judgment, to look my judges in the face.—That conduct enables me now to lay my hand on my heart, and moſt ſolemnly declare to this houſe, to the gallery, and to the world at large, that I never, in a ſingle inſtance, loſt ſight of what I thought the honour and true intereſt of my country and the company; I was never guilty of any acts of violence or oppreſſion, unleſs the bringing offenders to juſtice can be deemed ſo; an idea of extortion never entered my mind; I did not ſuffer thoſe under me to commit any acts of violence or oppreſſion: my influence was never employed for the advantage of any man, contrary to the ſtricteſt principles of honour and juſtice; and, far from acquiring perſonal benefit by the expedition, I return to England leſs opulent by many thouſand pounds."

His lordſhip then defended himſelf on the ſeveral ſpecific charges of monopolies in cotton, diamonds, ſalt, beetel-nut, and tobacco; of frauds in the exchange

change and gold coinage, and of taking preſents from Mir Jaffier. Of all theſe accuſations, he ſhewed the futility and want of foundation; and particularly, as to the laſt, he proved, that inſtead of receiving money from the nabob for his own uſe, he converted a legacy, amounting to ſeventy thouſand pounds, together with forty thouſand more, which he prevailed on the nabob to beſtow, to the purpoſe of eſtabliſhing a military fund for the relief of invalid officers and ſoldiers, and the ſupport of their widows.

CHAP. XX. 1772.

BUT the moſt intereſting part of lord Clive's defence was that where he analized the ſtate of India, and deſcribed thoſe enormities which degraded the Britiſh name, and impoveriſhed the company, while individuals were ſuddenly enriched, and the natives grievouſly oppreſſed. The germ of the evil was truly and forcibly diſplayed in the animated portrait which he gave of a young adventurer firſt ſeeking the ſhores of Aſia. "Let us for a moment," he ſaid, "conſider the education of a youth deſtined for India. The advantages ariſing from the company's ſervice are now generally known; and every man is deſirous to get his ſon appointed a writer to Bengal; which is uſually at the age of ſixteen. His parents and relations repreſent to him the certainties of making a fortune, inflaming his ambition by reference to peers and commoners, who have amaſſed great treaſures in ſhort periods. Thus are their principles early corrupted; and, as they generally go in conſiderable numbers, they mutually inflame their expectations to ſuch a degree, in the courſe of the voyage, that before their arrival the period of return is fixed. Let us now view one of thoſe writers arrived in Bengal, and not worth a groat. As ſoon as he lands, a banyan, poſſeſſed perhaps of one hundred thouſand pounds, deſires he may have the honour of ſerving this young gentleman at four ſhillings and ſixpence per month. The company has provided chambers for him, but they

CHAP. XX. 1772.

are not good enough; the banyan finds better. The young man, in walking about the town, obſerves that other writers, arrived only a year before him, live in ſplendid apartments, or have houſes of their own, ride upon fine prancing Arabian horſes, and in palanquins and chaiſes; that they keep ſeraglios, make entertainments, and treat with champaigne and claret. When he reports his obſervations, the banyan aſſures him he may ſoon arrive at the ſame good fortune; furniſhes him with money, and acquires over him abſolute power. The advantages of the banyan advance with the rank of his maſter, who, in acquiring one fortune, generally ſpends three. But this is not the worſt; he is in a ſtate of dependence on the banyan, who commits acts of violence and oppreſſion, under the pretended ſanction and authority of the company's ſervant. And hence ariſes the clamour againſt the Engliſh gentlemen in India."

LORD CLIVE, in concluſion, exhibited, in detail, all the advantages to be derived from the ſituation of the Engliſh in India; ſhewed the dangers which menaced their proſperity, and indicated the means of avoiding them; he diſplayed the utility of his own reforms, and demonſtrated that a temperate purſuit of a ſimilar ſyſtem was alone requiſite, to render the Britiſh empire in Aſia permanent, honourable, and advantageous.

Reply.

A REPLY was made by governor Johnſtone, but the effect of lord Clive's ſpeech was not materially diminiſhed; it was regarded as a complete exculpation, and a noble leſſon of political wiſdom.

Renewed attack on lord Clive.

THE ſyſtem of perſecution againſt lord Clive did not here terminate, but his laſt government was no longer the object of attack; it was thought proper to recur to a more diſtant period; to the depoſition of Surajah Dowlah in 1757[x].

[x] See Smollett's continuation of Hume, vol. iv. p. 116.

THE

CHAP. XX.

1773.

THE examination of evidence before the ſelect committee introduced the diſcuſſion, and the opponents of lord Clive ſeized the favourable opportunity of attempting to turn to his prejudice and diſgrace thoſe very circumſtances of his life from which he derived the greateſt honour. 30th Mar. 1773.

GENERAL BURGOYNE, on preſenting the third report of the ſelect committee, declared it contained an account of crimes ſhocking to human nature. He firſt moved ſome general propoſitions affirming that all acquiſitions made under the influence of a military force, or by treaty with foreign powers, do of right belong to the ſtate; that to appropriate acquiſitions obtained under the influence of a military force, or by treaty with foreign powers, to private uſe, is illegal; and that great ſums of money had been obtained by ſuch means from the ſovereign princes in India. Theſe reſolutions were carried, though not without conſiderable oppoſition. 8th April. Third report of the ſelect committee.

ON a ſubſequent day, General Burgoyne returned to the ſubject, and directed a motion perſonally againſt lord Clive, which was ſupported by Sir William Meredith, and reſiſted by Mr. Wedderburne, who ably expoſed the impropriety of accuſing an individual of delinquency, on the bare report of a ſelect committee. The motion was not then diſcuſſed on its merits, but it was ordered that evidence ſhould be heard at the bar. 21ſt April. General Burgoyne's motion;

WHEN information had been thus obtained, General Burgoyne, after recapitulating the facts diſcloſed, ſaid, he regarded the depoſing of Surajah Dowlah, and the revolution in favour of Mir Jaffier, as the origin of all thoſe evils which operated to the temporary diſtreſs, if not total deſtruction, of the company; he enlarged upon the perfidy employed to bring about that revolution; ſtated the fictitious treaty, forged in order to elude the payment promiſed to Omichund (a black merchant and confident of Surajah Dowlah, whom lord Clive 3d May; and charge againſt lord Clive.

CHAP. XX. 1773.

and the ſelect committee in India prevailed upon to join in a ſcheme to dethrone his maſter): expoſed the conduct of lord Clive, in cauſing admiral Watſon's name to be ſigned, contrary to the admiral's expreſs inclination, to this treaty; and added, that the perfidy toward Omichund was of the blackeſt dye. He concluded with moving, that, "Robert lord Clive, about the time of depoſing Surajah Dowlah, nabob of Bengal, and eſtabliſhing Mir Jaffier on the muſnud, did, through the influence of powers with which he was intruſted, obtain, under various authorities, ſums amounting to two hundred and thirty-four thouſand pounds, and in ſo doing, abuſed thoſe powers, to the evil example of the ſervants of the public." Some amendments were moved, and in the debate, lord Clive made a maſterly defence of his conduct.

His defence.

He inveſtigated, with minuteneſs, the reports of the committees, ſo far as they applied to him, and, in anſwer to the ſurmiſes attempted to be eſtabliſhed, read irrefragable documents, proving the manner in which his conduct was viewed at the time, and by thoſe who were beſt qualified to judge. They conſiſted of the nabob's letters to him, as preſident of the ſelect committee, the committee's letter to the directors, and finally, the letter of approbation from the directors to him. He ſhewed the remiſſneſs of former adminiſtrations in neglecting the affairs of the Eaſt India company, and pointed out the perſonal malevolence which produced this untimely and unfounded crimination. "The directors," he ſaid, "for two years paſt, either through ignorance or deſign, had kept the affairs of the company a ſecret; they had rioted at taverns, diſſolved in diſſipation and luxury, but entirely neglected their duty, employing a man to think for them, to whom they allowed four hundred pounds per annum; hence many of their orders were ſo abſurd and contradictory, that their own ſervants were almoſt juſtified in refuſing obedience."

His

CHAP. XX. 1773.

His lordſhip then expoſed the invidious manner in which the committees purſued their inquiries, limiting them entirely to his conduct, inſtead of exploring ſubjects of general utility; he was examined before them, he ſaid, more like a ſheep-ſtealer than a member of their own houſe. He vindicated the receipt of preſents, as being, at that time, perfectly legal, and univerſally practiſed; and proved, that if avarice had been his paſſion, he could have realized a fortune too great for a ſubject.

He entered into a detail of all the tranſactions in which he was engaged; and after diſplaying the deſperate ſituation of the company's affairs, when it pleaſed God to make him the inſtrument of their delivery, related the circumſtances of the fraud practiſed on Omichund. "We ſoon diſcovered," he ſaid, "that Surajah Dowlah only waited for the departure of the fleet to exterminate the Engliſh. But the nabob, like other treacherous men, was ſurrounded by perſons of the ſame caſt and diſpoſition. Omichund, his confidential ſervant, told his maſter of an agreement made between the Engliſh and Monſieur Duprée to attack him, and received for that advice four lacks of rupees. Finding this to be the man in whom the nabob entirely truſted, we conſidered him as a moſt material engine in the intended revolution. We therefore made ſuch an agreement as was neceſſary for the purpoſe, and entered into a treaty with him to ſatisfy his demands. When all things were prepared, and the evening of the event was appointed, Omichund applied to Mr. Watts, who was at the court of the nabob, inſiſting on thirty lacks of rupees, and five per cent. on all the treaſure that ſhould be found; threatening, unleſs this demand was immediately complied with, to diſcloſe the plan to the nabob; and that Mr. Watts, with the two other Engliſh gentlemen then at court, ſhould be put to death before the morning. Mr. Watts immediately diſpatched an expreſs to me at the

CHAP. XX. 1770.

council. I did not hesitate in finding a stratagem to save their lives, and secure the success of the intended event. We prepared another treaty; this was called the red, the other the white treaty. It was signed by every one except admiral Watson, and I should have considered myself sufficiently authorized to affix his name, by a conversation I had with him. His name was, however, subscribed by another person, whether in his presence or not, I cannot say; but I know he thought he had sufficient authority. This treaty was transmitted to Omichund, who did not suspect the stratagem; and success attended the project. The house, I am fully persuaded, will agree, that, when the very existence of the company was at stake, and the lives of these people so precariously situated, and so certain of being destroyed, it was true policy and justice to deceive so great a villain." Lord Clive then read letters from admiral Watson and others, fully approving his conduct, and similar papers from the court of directors, who presented him with a sword richly adorned with diamonds, and after highly extolling his proceedings, termed the elevation of Mir Jaffier, a glorious and profitable revolution. In closing this part of his defence, he said, "A late minister, (lord Chatham) whose abilities have been an honour to his country, and whom this house will ever revere, will, I am sure, come to your bar, and not only tell you how highly he thought of my services at the time, but also what his opinion is now."

He complained, that after such certificates, and so merited, he should be brought before the house like a criminal, and the very best parts of his conduct construed into crimes against the state. "I cannot say," he concluded, "that I either sit or rest easy, when I find, that all I have in the world is confiscated, and no one will take my security for a shilling. These are dreadful apprehensions to remain under, and I cannot look upon myself, but as a bankrupt. I have not any thing

thing left that I can call my own, except my paternal fortune of five hundred pounds per annum, and which has been in the family for ages. But upon this I am content to live; and perhaps I ſhall find more real content and happineſs than in the trembling affluence of an unſettled fortune. But, if it ſhould be the caſe, I have a conſcious innocence that tells me my conduct is irreproachable. *Frangas, non flectes.* They may take from me what I have; they may, as they think, make me poor, but I will be happy! I mean not this as my defence. My defence may be made at the bar; but before I ſit down I addreſs one requeſt to the houſe, that, when they come to decide upon *my* honour, they will not forget their own."

CHAP. XX. 1770.

HAVING finiſhed his defence, his lordſhip quitted the houſe. A ſentence of cenſure propoſed againſt him was negatived, by a motion for the previous queſtion; and at five o'clock in the morning, on the motion of Mr. Wedderburne, a reſolution was paſſed unanimouſly, merely aſſerting the fact of lord Clive having received the ſum of two hundred and thirty-four thouſand pounds, with the additional obſervation, that, at the ſame time, he rendered great and meritorious ſervices to his country.

Exculpatory reſolution.

IN a ſubſequent debate, lord Clive recapitulated the topics contained in his ſpeech of the laſt ſeſſion, and exculpated himſelf from the charges, made through the medium of the preſs, on his conduct during his laſt government. After this, he intruded on the houſe no further, except to rectify a miſ-ſtatement of ſome facts, and then, ſuch was the fury of party-ſpirit, that a member permitted himſelf to ſneer at lord Clive's former defence, by ſaying, "the noble lord was a long ſpeech-maker, and would, perhaps, offer another harangue of two hours and twenty minutes."

10th May. Continued rancour againſt lord Clive.

CHAP. XX.

1773. He is ably defended by Wedderburne.

THE defence of lord Clive's conduct did not, however, reſt on himſelf alone; Mr. Wedderburne, the ſolicitor-general, diſplayed an unuſual portion of learning, logic, and practical good ſenſe, in his behalf. He reproached the committees with having, inſtead of an open, liberal, and manly endeavour to bring forward ſuch regulations as would prevent future evils, reſtricted themſelves to a narrow, contracted, invidious attention to the conduct of individuals. He juſtified the depoſition of Surajah Dowlah, on the grounds of juſtice as well as of policy. Far from admitting that ſuch a tranſaction was diſhonourable to Britain, he claimed the admiration of the hiſtorian, who in future times ſhould record, "that a revolution which acquired to the company a dominion, larger, wealthier, and more populous than ever Athens poſſeſſed, or than Rome itſelf, when ſhe had conquered the Italian ſtates; larger than France, and in revenues ſuperior to moſt of the powers of Europe; that in the career of ſuch conqueſts, in the midſt of ſuch great events, ſo few actions were to be diſcovered by the moſt inquiſitive examination (and a more prying one never was known) that reflect diſhonour on individuals; none that tarniſhed the Britiſh name." He removed every imputation of blame from the artifice uſed to circumvent the traitor Omichund, and appealed to the honour and gratitude of the nation, againſt an attempt to deprive an individual of the remuneration of actions, which had been the admiration of the world; the pride of Britain; the envy of Europe. In anſwer to the queſtion, Where ſuch oppreſſions and tyranny were to be found as were practiſed in Bengal? he ſaid, "in the democratical tyranny of an Athenian mob, envious of every great and noble name, taking off one for his wealth, baniſhing another for his family, and a third for his fame. This deteſtable ſpirit occaſioned real tyranny, and we are now following the example."

MR.

CHAP. XX. 1773.

MR. THURLOW, the attorney-general, was on the other side, but the exculpation of lord Clive appears complete. He committed no illegal act toward his employers; he used no unnecessary cruelty toward those whom he conquered; nor did he, in the pursuit of wealth, avail himself of the means which lay so abundantly before him to accumulate an enormous mass of riches; the fortune he possessed was undoubtedly ample, but few in his situation would have evinced so much self-denial, as to be satisfied with a first acquisition, when many years of subsequent service afforded opportunities, and a pretence for immense additions [y].

Contest with the Carribs of St. Vincent's.

THE attention of parliament was also engaged, and the public feeling considerably interested, on a contest with the Carribs of St. Vincent's, respecting which, many forcible appeals were directed to the house of commons, and to the nation. To understand this question it will be necessary to recur to a distant period, and examine historically the state of the island.

Early history of the island.

SAINT VINCENT'S, one of the discoveries of Columbus, contains about 84,000 acres, and is twenty-four miles in length, and twelve in breadth. The Spaniards were not sufficiently numerous to attempt obtaining possession, because the Indians, who made it their place of rendezous in expeditions to the continent, were in great force. These Indians, who are commonly taken for the Aborigines, are denominated

[y] Although, throughout this inquiry, lord Clive displayed the greatest firmness and magnanimity, his mind never recovered its proper bias. Wedded to glory, and pluming himself upon those actions which had elevated him to an unparalleled degree of fame, and unexampled grandeur of fortune, he could ill brook the necessity of defence, and felt as an ignominy the task of pleading for his character and property. He, upon whose pleasure had so often depended the fate of sovereigns and of states, who might with truth be styled "the setter-up and puller-down of kings," sickened at the recollection of that ingratitude which degraded him to the position of a culprit. A feverish uneasiness took possession of his mind; his feelings becoming daily more agonizing, brought on at length a delirium, one of the paroxysms of which terminated his existence. His death happened the 22d of November 1774. See Biographia Britannica, article Clive.

red,

CHAP. XX. 1770.

*red*, ſometimes *yellow* Carribs [2]. They are deſcribed as a mild and moderate race, and of low ſtature, inhabiting the woods in ſcattered families, in a ſtate of primitive ſimplicity, and under a kind of patriarchal government.

Diſtinction between red and black Carribs.

AT a period which cannot be exactly aſcertained, but toward the latter end of the ſeventeenth century, a ſhip from Guinea, with a cargo of ſlaves, was wrecked or run on ſhore; the negroes eſcaped, and, either by favour or force, eſtabliſhed themſelves on the iſland. They were of the Mocoa race; tall, ſtout, violent, irritable, and craſty. They ſoon increaſed their numbers by intermarrying among themſelves and with the natives, and began to invade the property of their too-confiding hoſts. After a ſeries of ſtruggles, the intruders obtained poſſeſſion of the moſt valuable parts of the country, and, by frequent ſlaughter, reduced the number of their opponents to comparative inſignificance. The deſcendants of theſe Africans were called *black* Carribs.

The French obtain a ſettlement.

IN 1719, the diſputes between the races of Carribs being carried on with great violence, the French inhabitants of Martinique conceived hopes, that by favouring one party, and ſubduing the other, they might gain poſſeſſion of the iſland; they therefore landed a conſiderable force, and, calling themſelves allies of the red Carribs, committed ſome hoſtilities on the other party. The expected aſſiſtance was however withheld, either through fear or jealouſy, and after loſing many lives, the French were compelled to make peace. Failing in their hopes of conqueſt, they ſucceeded in obtaining an eſtabliſhment by negotiation, and, from ſmall beginnings, increaſed their number of ſettlers to eight hundred whites and three thouſand ſlaves. They did not acquire this

[2] I have adopted the common orthography of this word: it is ſometimes ſpelt Charibb, and Bryan Edwards writes it *Charaibe*.

advantage

advantage without many humiliating conceſſions and mortifying inſults; they were obliged to ſubmit, without reſiſtance, to all the caprices of ſavage licentiouſneſs, to permit the ſeduction of their ſlaves, the plunder and burning of their eſtates, and to compromiſe with the black Carribs under terms of the moſt abject and degrading ſubmiſſion [a]. They hoped, by temporiſing, to gain an entire aſcendancy, and, for that reaſon, endeavoured to live on amicable terms with the ferocious Carribs, to whom they imparted a ſmall knowledge of the catholic religion, affecting toward them an extraordinary attachment.

Arrangements in the treaty of Aix-la-Chapelle;

WHILE Saint Vincent's, and other iſlands inhabited by the Carribs, were thus anxiouſly coveted by the French, they were no leſs objects of deſire to the Engliſh; but after a long and ineffectual conteſt, it was agreed by the treaty of Aix-la-Chapelle, in 1748, that thoſe iſlands ſhould be conſidered neutral, the property being veſted in the Carribs, but the European ſubjects retaining their private poſſeſſions. Both nations were afterwards diſſatisfied with this arrangement, in which, from mutual jealouſy, they had conceded their own rights into the hands of a race who were not parties to the contract. In the negotiation of 1762, they adopted a contrary ſyſtem, and without naming the Carribs, or adverting to their claims, real or imaginary, the iſlands of Dominica, St. Vincent's, and Tobago, were allotted to Great Britain, while France kept poſſeſſion of St. Lucia [b].

at the peace of 1762.

[a] The following inſtance is given by the Abbé Raynal. "The black Carribs, conquerors and maſters of all the leeward coaſt, required of the Europeans, that they ſhould again buy the lands they had already purchaſed. A Frenchman attempted to ſhew the deed of conveyance from a red Carrib; I know not, ſays a black Carrib, what thy paper ſays; but read what is written on my arrow. There you may ſee, in characters which do not lie, that if you do not give me what I demand, I will go and burn your houſe to-night."

[b] In this account I have principally followed Edwards's hiſtory of the Weſt Indies, vol. i. b. iii. chap. 3, with occaſional references to Raynal, Guthrie, and the papers produced to the houſe of commons.

MANY

CHAP. XX.

1773.

Many of the French inhabitants, on the arrival of the Engliſh, left St. Vincent's, and the Carribs alſo ſolicited from the French governor of St. Lucia, permiſſion to ſettle there, which was refuſed. A commiſſion was framed for ſurveying and diſpoſing of the lands; but although no ſtipulation was made in the treaty of peace, the lords of the treaſury forbad the commiſſioners to ſuffer any ſurvey of the territory inhabited or claimed by the Carribs, till the receipt of further inſtructions, that their numbers, diſpoſitions, and ſettlements might be more fully known.

Proceedings of the Britiſh government with reſpect to the lands. 24th Mar. 1764.

Conduct of the Carribs.

At firſt, the Carribs, uncertain of their future deſtiny, ſhewed the utmoſt humility, and in compliance with the propoſitions of government, many of them took the oaths of allegiance, and were received as ſubjects, ſhowing a perfect underſtanding of the tranſaction, expreſſing themſelves much favoured and obliged by being placed on ſuch a footing, and conſenting to give up ſuch lands as they could not cultivate [c]. Afterward, however, when they underſtood the nature of the inſtructions to the commiſſioners, and had received advice from the French, they claimed more land than could be uſeful, or than, under other circumſtances, they would have preſumed to demand [d].

11th April 1767. Mr. Young's memorial.

After three years, William Young, eſq. firſt commiſſioner for the ſale of lands, in a memorial to the treaſury, ſtated, that the total number of Carribs did not exceed two thouſand, including women and children: the original Carribs being reduced to a very ſmall number [e], living remote from the blacks, and under continual apprehenſions from their known ferocity. The black Carribs were ſcattered over the moſt extenſive and fineſt part of the iſland, but they cultivated only a ſmall portion of the land in detached

[c] See report of Mr. Maitland and other perſons concerned in the iſland of St. Vincent, to lord Hillſborough; Debrett's Debates, vol. vi. p. 366.

[d] See Memoir of Mr. William Young; Debrett's Debates, vol. vi. p. 339.

[e] According to the beſt accounts not above one hundred families.

pieces,

CHAP. XX. 1773.

pieces, principally relying on hunting and fiſhing for ſubſiſtence. As it would be dangerous to the coloniſts that theſe lands ſhould remain in the poſſeſſion of lawleſs ſavages, Mr. Young requeſted further inſtructions, intimating that it would be proper to protect the red Carribs; as permitting their extermination by the blacks, would be repugnant to humanity; and he conſidered, as a ſubject of curious ſpeculation, the adoption of ſuch meaſures as would reconcile the happineſs of both races of Carribs, with the ſafety and welfare of the Britiſh ſubjects [f].

Jan. 1768. Survey ordered.

In purſuance of Mr. Young's recommendation, the lords of the treaſury inſtructed the commiſſioners to ſurvey and diſpoſe of certain parts of the iſland claimed by the Carribs; but not to attempt removing them until notice of the whole arrangement and deſign ſhould be fully imparted to, and underſtood by their chiefs. Humanity, mildneſs, and attention to the habits and convenience of the Carribs were expreſsly enjoined; the commiſſioners were reſtricted from receiving fees, directed to avoid violence, and to obſerve the ſtricteſt good faith in their tranſactions. In the lands allotted in exchange no quit-rent was to be reſerved, and the Carribs were to receive the ſum of four johannes, or ſeven pounds four ſhillings ſterling, for every acre they had cleared [g].

May 1769. Proceedings of the commiſſioners. Hoſtility of the black Carribs.

On receipt of theſe inſtructions, the king's ſurveyors began to examine the country, and make a road. The black Carribs, filled with alarm and indignation, aſſembled two hundred men in arms, and, loudly declaring their reſolution to maintain their freedom and preſerve their lands, inſulted and obſtructed the ſurveyors, and ſurrounding a detachment of forty men, ſent to guard them, cut off every ſupply of water and proviſion. Mr. Alexander, preſident of

[f] See this memorial at length, Debrett's Debates, vol. vi. p. 56

[g] Debrett's Debates, vol. vi. p. 562.

CHAP. XX.

1773. Arrangement.

the council, acting for the governor in his abſence, collected a hundred troops, but having poſitive inſtructions to avoid hoſtilities, propoſed to ſuſpend making the road, and deſiſt from all proceedings, till further orders from the king, of which he would give due notice: the Carribs, ſatisfied with this declaration, promiſed to return quietly to their habitations; the forty men were liberated, and tranquillity reſtored without bloodſhed[h].

Their further violences.

AN appeal to force now ſeemed inevitable. The Carribs declared their reſolution not to ſuffer the proceeding of the ſurveyors: prevented the military from going to their new barracks at Mercerika; pulled down the houſe allotted for that purpoſe; denied ſubjection to the king, and reſolved to preſerve their independence. After the arrangements with Mr. Alexander, they broke up the road begun by the troops and ſurveyors, burned the huts erected for their uſe, and committed many ravages on the neighbouring plantations. The red Carribs did not interfere in the conteſt, and the lords of the treaſury ſhewed humane attention toward them, by directing, that if the remains of this unfortunate people wiſhed to be ſettled apart from the negroes, their inclination ſhould be complied with.

Artifices of the French.

NOR would the black Carribs probably have ſhewn ſo determined an oppoſition, on a point of no importance to them, but for the artful inſtigation of the French, who uſed all means to excite antipathy againſt the Engliſh; even the little information they imparted of the catholic religion was ſubſervient to this purpoſe; and in execrating the Britiſh name, the Carribs did not forget to ſtigmatize them as heretics. For ſome time after the peace, however, no inſtance

[h] See lieutenant-governor Fitzmaurice's letter to lord Hillſborough; Mr. Wm. Young's letter to Harry Alexander; the letter of Mr. Alexander to lieutenant-governor Fitzmaurice, and the memorials and ſubſequent papers, paſſim. Debrett's Debates, vol. v. p. 346, et ſeq.

of

of diſaffection had appeared, except that of maintaining a contraband intercourſe with the French inhabitants of St. Lucia and Martinique, and declining all commerce with the Engliſh in St. Vincent's. From the vicinity of St. Lucia, and the ancient habits of the Carribs, this preference might have been conſidered of ſmall importance, had not the malignant genius of the French ſoon rendered it extremely dangerous. The Carribs were inſtigated to reſiſt the claims of England by French emiſſaries, whoſe intrigues in the Weſt Indies formed a part of the plan which prompted the attack on the Britiſh property at Falkland's Iſlands. They taught the black Carribs to believe, that, as they were moſtly deſcended from a race of ſlaves, bound in an Engliſh ſhip to Barbadoes, the heir of the owner had obtained an order to ſell them as his property; and when animoſity was thus ſufficiently excited, the French ſupplied them with fire-arms, and encouraged hoſtilities.

THE removal of four companies of the regiment ſtationed at St. Vincent's to Dominica, was the ſignal for armed oppoſition, and at that criſis they attacked the ſurveyors.

Alarms and remonſtrances of the planters.

THE planters of St. Vincent's were in daily expectation of a war with France; and ſaw that in the defenceleſs ſtate of the iſland, ſurrounded by a numerous and inveterate enemy, well armed, and diſciplined by French fugitives, their property and lives were on a moſt inſecure and hazardous tenure. Rumours of projected maſſacres and conflagrations were circulated. The planters deſcribed their condition in terms denoting anxiety and ſolicitude, and all their diſpatches to government, after the late commotion, earneſtly requeſted an augmentation of the armed force. Avarice too had its ſhare in theſe repreſentations, as the letter of Mr. Alexander ſtrongly expreſſed his impatience at being reſtrained from extremi-

CHAP. XX. 1770.

ties, his reluctance at leaving so soon *that fine cream part of the island*, and his hopes that his absence from it would be but short[j].

Efforts of the lieutenant-governor. 10th June, 1769.

THE lieutenant-governor, however, endeavoured to restore tranquillity; he embodied the militia, and issued a mild and temperate proclamation to the Carribs. He forwarded to government, by the hands of the speaker of the assembly, a correct delineation of the state of the colony, but forcibly represented the impossibility of retaining an advantageous possession, while so large a portion of the island was occupied by the negroes, without any mixture of white inhabitants, as they must continue uncivilized, lawless, disaffected, useless, and prone, in case of war, to join the enemy. He also observed, that, "as, from the most exact calculations, they could not exceed a thousand fighting men, although headed by several intelligent and resolute chiefs; another regiment properly disposed, assisted by his majesty's ships, together with some expence for presents, and other incidental charges, would insure their submission to government, with little or no bloodshed; the white inhabitants could then live peaceably among them, and the expence would be greatly overpaid by the sale of the lands[k]."

Orders of government. 4th Aug. 1769.

THE British cabinet was not influenced by these representations to adopt rash or violent measures. The earl of Hillsborough, in a prudent and temperate letter to Mr. Fitzmaurice, approved his measures of defence, authorised him, in case of continued hostility, to make application to general Gage, at New York, for additional troops; but expressly ordered him, at the same time, to transmit to the general a full and explicit representation of the state of the island, a minute explanation of his reasons for

[j] See the papers in Debrett's Debates, vol. vi. p. 346 to 355.

[k] See Fitzmaurice's letter to lord Hillsborough, Debrett's Debates, vol. vi. p. 356, and his proclamation, p. 361.

making

making ſuch requiſition, and his motives for fixing on any preciſe number of men [l]. CHAP. XX.

ELATED with their ſucceſs in oppoſing the ſurveyors, the black Caribbs increaſed in inſolence and ferocity. They ſent an embaſſy to count d'Ennery, or d'Henri, governor of Martinique, offering, with a ſmall aſſiſtance, to cut off all the Engliſh, and deſtroy their ſettlements. The humanity of the French governor prevented his acceding to this horrible propoſition, and as the militia was ſoon afterward raiſed, the Caribbs, for a ſhort period, affected humility and ſubmiſſion [m]. Yet they continued an illicit intercourſe with the French iſlands, and the ſucceſſor of count d'Ennery, and the governor of St. Lucia, appear to have encouraged them in acts of hoſtility and inſubordination. The Caribbs uſed continual endeavours to ſeduce or even ſteal the ſlaves belonging to the planters; cruelly murdering thoſe who would not work or conſent to be ſold to the French. Although the magiſtrates received full information of the names and reſidences of the perpetrators of theſe enormities, they durſt not attempt to puniſh them: the Caribbs, armed and inſulting, traverſed every part of the Britiſh territory, while their jealouſy guarded every acceſs to their own domain [n]. They blocked up the high road, burned the houſes of obnoxious perſons, and threatened to deſtroy the king's barracks at Prince's Bay, a ſettled part of the country, far diſtant from that which they inhabited or claimed.

Increaſing inſolence of the Caribbs.

THESE violences, and the alarms they excited, occaſioned many applications to the king and council, ſupported by affidavits and documents, to prove the dangerous connexion between the Caribbs and the French. The proprietors of lands, in their memorial, demonſtrated, that the defence of the whole colony in caſe of a war would be incumbent on them, while

Repreſentation of the planters to the king.

22d June, 1770.

[l] See lord Hillſborough's letter to lieutenant-governor Fitzmaurice, ibid. p. 355.
[m] See reports of Mr. Maitland and others, in Debrett's Debates, vol. vi. p. 366.
[n] Idem, p. 367. Report of the commiſſioners, Debrett's Debates, vol. vi. p. 378.

CHAP. XX.

the Caribbs not only forbad all approach to great part of the iſland, but were ready with a ſuperior force to aſſiſt the enemy. The planters diſclaimed every wiſh to treat the ſavages with inhumanity, but merely required protection for their lives and properties, for the purpoſe of enjoying, advantageouſly, the eſtates which they had purchaſed under the expreſs guarantee of the crown. The commiſſioners for the ſale of lands, in a report to the board of trade, certified many of the ſame facts, and the board, in their repreſentation to the king, concurred in the neceſſity of increaſing the inſular military eſtabliſhment.

26th July, 1769.

29th Mar. 1770.

Deputation of the Caribbs to Grenada.

STILL the miniſtry was deſirous to avoid extremities, and governor Melville, in conſequence of the indulgent and favourable orders tranſmitted to him, received with kindneſs a deputation of about fifty Caribbs, who attended him at Grenada, to exculpate themſelves from the charge of diſaffection to the Britiſh government and undue intercourſe with the French [o].

25th Jan. 1771. Interview between Britiſh commiſſioners and the Caribbs.

INFLUENCED by governor Melville's repreſentations, the miniſtry again ſent inſtructions to the commiſſioners, who obtained an interview with the principal Caribbs, at a place called Morne Garou, and made a very liberal proffer for the purchaſe of about four thouſand acres of practicable land, which they only claimed, but did not inhabit, with an aſſurance, that the reſt of their poſſeſſions ſhould be inalienably ſecured; but the Caribbs inflexibly refuſed to permit a ſettlement in any part of the country over which they extended a claim. Being aſked, whether they would take the oath of allegiance as ſubjects to the king of Great Britain, one, in the name of the reſt, anſwered, they were equally independent of the kings of Great Britain and France; but confeſſed a great partiality to the French, and ſaid, the governor of Martinique had promiſed them protection, if they obeyed his orders in

[o] His letter, giving an account of the interview, is dated 5th July 1770. Debates, vol. vi. p. 475.

refuſing to ſurrender any portion of land. This explicit avowal, combined with the general tenor of the conference, convinced the commiſſioners, that the Caribbs acted entirely under French influence. The chief did not appear diſinclined to accede to the propoſals, but the principal ſpeaker, who ſeemed to poſſeſs the greateſt ſhare of influence, had reſided in Martinique from his infancy, and was but lately returned to St. Vincent's.

16th Oct. 1771. Report of the commiſſioners.

In reporting theſe tranſactions, the commiſſioners repreſented the impoſſibility of ſo ſmall an iſland continuing long divided between a civilized people, and ſavages bound by no ties of law or religion, exempt, by their ſituation, from fear of puniſhment, and prompt, at the earlieſt inſtigation, to ruin the colony. They obſerved, that the ſale of the land was no longer the moſt important object; but the honour of the crown became concerned for the protection of its ſubjects againſt a lawleſs race, who might commit any kind of violence without controul; and they recommended the former plan of making a road, and mixing white inhabitants among the natives [p].

Treachery of the French.

The alarms of the people of St. Vincent's were increaſed by an intercepted letter from the governor of St. Lucia, in which the Caribbs were treated as an independent people; the French complained of their deviations from propriety to themſelves alone, demanded redreſs, without reference to the authority of the Britiſh government; and, with the threats it was judged expedient to uſe, mingled ſuch flatteries and complacencies as tended to make theſe ſavages ſtill more proud, ſtubborn, and uncomplying toward the Engliſh [q].

30th May, 1771. Remonſtrances from the iſland.

Mr. Leybourne, the governor of St. Vincent's, incloſed this letter to lord Hillſborough, and ſuggeſted, that as an hoſtile correſpondence was now clearly

[p] See Debates, vol. vi. p. 363.

[q] See the intercepted letter, dated Sept. 1771. Debrett's Debates, vol. vi. p. 371.

CHAP. XX. 1771.

proved, and lenient meaſures had been found ineffectual, force muſt be the laſt reſort; the tranquillity of the iſland with its neighbours, and the reſpectability of the fleet in thoſe ſeas, rendered the time particularly advantageous [r]. This diſpatch was accompanied with a memorial from the council and aſſembly to the king, expreſſing their fears at being ſurrounded by lawleſs ſavages, in ſtrength and number far ſuperior to themſelves, and notoriouſly at the diſpoſal of a foreign enemy. After diſplaying the inſults and injuries they were obliged to ſuſtain without poſſibility of redreſs, they claimed protection as a right, from their having purchaſed crown lands at high prices, adventured their health and fortunes, and ſtrained their utmoſt credit in forming the ſettlement, all which they had done under a firm aſſurance of being placed in as ſecure a ſituation as the ſiſter iſlands. They obſerved, that ſuch a ſeparate empire was not only incompatible with their ſafety, but highly derogatory from the honour and dignity of the Britiſh crown; that lenity and every humane expedient, had been long tried without ſucceſs; but with natures incapable of gratitude or ſentiment, the mild hand of benevolence loſt its effect, and forbearance would only ſerve (as it had already done) to increaſe the inſolence of the Caribbs, while it would eventually prove the greateſt cruelty to the king's own ſubjects.

THE experience of near five years, from the period when an attempt was firſt made to purchaſe from the Caribbs a part of their lands, had fully convinced the Britiſh government that the tenure of the iſland in its preſent ſtate was impoſſible, and that they muſt either yield it up to the French, or reduce the Caribbs to ſubjection. The delicacy ſhewn in the year 1764, in not immediately aſſuming poſſeſſion of the vacant lands, and the reſpect paid to a claim without either occupancy or cultivation, had ſubjected the coloniſts to

[r] Idem, p. 373.

much

much oppoſition, rendered the ſavages haughty and inflexible, and enabled them to court and obtain that countenance by which they were encouraged to inſult authority, and ſpurn control.

16th April 1772. Hoſtile operations againſt the Caribbs.

ORDERS were now diſpatched to the commanders of ſhips on the leeward ſtation, to prevent all communication between the Caribbs and the iſlands of Martinique and St. Lucia, and an armed force was ordered to St. Vincent's. In a letter to governor Leybourne, the ſecretary of ſtate explained the intentions of the cabinet. It was hoped that the Caribbs, on ſeeing the hoſtile preparations, and knowing the reſolution of government, would avoid extremities; the governor was accordingly directed to uſe his utmoſt efforts in promoting ſuch a diſpoſition, to avoid unneceſſary ſeverities, and, in whatever mode the ſubmiſſion of the Caribbs might be obtained, the deſirable object was, to continue them on the iſland, under conditions, which might be a ſufficient pledge of ſafety, and with an allotment of a proper portion of territory. If, however, neceſſity ſhould demand their removal, they were to be conveyed to ſome unfrequented part of the coaſt of Africa, or deſert iſland adjacent, to be treated on the voyage with every humanity, and when put on ſhore, ſupplied with proviſions, tools, and implements requiſite for their preſent and future ſubſiſtence [s].

18th April.

Two regiments were diſpatched from New York, and ſome battalions from Dominica and other iſlands; but the operations being commenced late in the year, the reſult was unknown when the affair was diſcuſſed in parliament.

9th Dec. Diſcuſſion in the houſe of commons.

THE army eſtimates being preſented, Mr. Thomas Townſhend required an examination into the management of troops in the Weſt Indies: he had certain information that the regiments in St. Vincent's were unprovided with tents or camp equipage, and

[s] See lord Hillſborough's letter to governor Leybourne. Debrett's Debates, vol. vi. p. 388.

CHAP. XX.

ſlept in the woods without covering. Alderman Trecothick aſſerted, that a ſcene of iniquity and cruelty was tranſacting in St. Vincent's, ſimilar to the conduct of the Spaniards towards the Mexicans, and demanded the cauſe of thoſe hoſtilities againſt a defenceleſs, innocent, and inoffenſive people. Colonel Barré, in a ſpeech of ſome length, reprobated the wanton manner in which the lives of the troops were ſacrificed; and lord George Germaine ſpoke with vehemence on the ſame ſide. Lord North barely reminding the houſe that they were deſerting the buſineſs of the day, profeſſed his willingneſs to meet the inquiry, and furniſh all proper information. Mr. Townſhend, however, promiſed to proſecute the ſubject, and two days afterward made a motion for papers, which were readily granted, and clearly proved that the charge of neglecting the accommodation of the troops was unfounded.

11th Dec.

10th Feb. 1773. Witneſſes examined.

THE general queſtion came again under conſideration after the receſs, when Mr. Townſhend moved, that generals Wooten and Trapaud, commanders of the two regiments employed at St. Vincent's, ſhould be examined. General Wooten had received no accounts; general Trapaud read an extract of a letter, dated the fourteenth of November, and received the ſeventeenth of December, in theſe words: "The mortality among the men is very great, owing to the heavy and continual rains which we have at this ſeaſon. The poor Caribbs have been ill uſed. They act with great caution; and the woods are ſo thick that they knock our men down with the greateſt ſecurity to themſelves, as it is impoſſible we can ſee them. We have only been able to penetrate four miles into the country. God knows how this pretty expedition will end; all we hope for is, that the promoters and contrivers of it will be brought to a ſpeedy and ſevere account." The credit which might be due to this imperfect and ſpeculative ſcrap was greatly diminiſhed, by a declaration from the miniſter, that no letter either

either of complaint or intelligence had been received by the ſecretary of ſtate ſince the ſeventeenth of November. CHAP. XX. 1772.

ON a ſubſequent day, evidence was examined, chiefly reſpecting the diſpoſition of the Caribbs. Two witneſſes, lieutenant Fletcher, and governor Gore, ſpoke of them in advantageous terms; but the former left the iſland in 1757, the latter in 1765. Captain Farquhar, who had acted as governor Melville's deputy for eleven months, declared, he knew no inſtances of their ill behaviour, but found them peaceable, and diſpoſed to trade. On the other hand, captain Roſs, who had recently left the colony, declared, they were by nature thieves, and unworthy of confidence. Mr. Sharpe, the ſpeaker of the aſſembly, depoſed, that they were a faithleſs people, and while they continued in the iſland, neither the lives nor properties of his majeſty's ſubjects could be ſecure; that aſſaſſinations and robberies were frequent; that his own negroes had been murdered in the field; and no inducements were wanting to encourage the ſlaves to deſert; the Caribbs were much addicted to drinking, and in their debaucheries were cruel, and abandoned to every ſpecies of vice. Their overtures to count d'Ennery were alſo proved. 12th Feb. 15th Feb.

MR. TOWNSHEND expatiated on the cruelties and injuſtice to which the Caribbs were expoſed, and deſcanted on the unparalleled inhumanity of ſending them to an uninhabited iſland, where they muſt periſh by famine, or, if landed on the continent, fall a prey to the mercileſs negro inhabitants; and that, by means of the ſtill more mercileſs negroes of the cabinet. He made two motions, firſt, That the expedition to St. Vincent's was undertaken without ſufficient provocation, upon the repreſentations of intereſted men, and muſt, if ſucceſsful, end in total extirpation; the other, That the military were ſent out in an improper ſeaſon of the year, and that the ruin of Mr. Townſhend's motions.

CHAP. XX. 1771.

ſome of the beſt troops in the ſervice was likely to enſue.

A LONG debate was maintained, in which few ſubſtantial arguments were uſed. Colonel Barré was ſingularly happy in a ludicrous compariſon between Mr. Alexander, the preſident of the council, and Alexander of Macedon. In deſcanting on the conduct of the commiſſioners toward the Caribbs, he introduced an anecdote of the late war in America. A volunteer being on a party, with ſome light infantry and a few friendly Indians, they were ſurrounded; the volunteer ſhewing ſigns of fear, an Indian, an old friend, enquired the cauſe; the volunteer expreſſed a dread of being ſcalped by the enemy. O! replied the Indian, I will remove that uneaſineſs, for I ſhall take care to ſcalp you myſelf. The proceedings of government were ably defended by Mr. Hans Stanley, lord Barrington, and lord North. The motions were loſt by great majorities[1], as was another, for an addreſs, to inform the houſe, by whoſe advice the expedition was undertaken.

Termination of the conteſt.

BEFORE the termination of theſe debates, the ſubject ceaſed to exiſt; after a campaign, inevitably protracted by the nature of the country, and of the enemy, the Britiſh troops, aided by the vigilance of the fleet, which prevented all extraneous ſuccour, reduced the

17th Jan.

Caribbs to the neceſſity of acceding to a treaty, by which every point in conteſt was fully adjuſted. The Caribbs acknowledging ſubjection, and agreeing to take the oaths of allegiance, an ample portion of land was allotted, and guaranteed to them for ever. The Britiſh ſubjects were allowed free acceſs to this territory in ſearch of runaway ſlaves, and to make roads in every direction; and the laws of Britain were to be reſorted to in caſes between the Caribbs and the coloniſts, although, in their tranſactions with each other,

[1] 206 to 88—199 to 78.

the

the ſavage were left at liberty to regulate themſelves by their own cuſtoms. The loſs in this expedition was about a hundred and fifty killed; one hundred and ten fell victims to the climate, and at the time of concluding the treaty, four hundred and twenty-eight were ſick and wounded [u].

CHAP. XX. 1773.

A PETITION from the captains of the navy, for an increaſe of pay, was preſented by lord Howe, and, notwithſtanding the oppoſition of lord North and Mr. Fox, their ſalary was augmented, by the addition of two ſhillings a day [w].

9th Feb. Increaſe of pay of captains in the navy.

A BILL was again brought in, conſiderably altered from that of laſt year, for relief of the proteſtant diſſenters. It was debated in an animated manner, in the houſe of commons, and paſſed; but was rejected by the lords [x]. Sir William Meredith alſo made a motion relative to ſubſcribing the thirty-nine articles, at the time of matriculation in the univerſities; but after a long debate, it was negatived.

Feb. and March. Bill for relief of diſſenters rejected.

23d Feb.

[u] See the treaty of peace, comprized in 24 articles; Hiſtory of lord North's adminiſtration, p. 95, et ſeq. I have detailed this tranſaction at great length, and quoted the authorities with minuteneſs, on account of the miſrepreſentations which have prevailed on the ſubject. It is ſomewhat extraordinary, that while this ſtruggle was maintained in St. Vincent's, the Portugueſe in the Brazils, and the Dutch in Surinam, both allies of England, were engaged in conteſts with the natives, and with their rebellious ſlaves.

[w] The numbers on a diviſion were 154 to 145.

[x] Contents 26—proxies 2.—Non-contents 65. On this occaſion, the following obſervations are ſaid to have been made by lord Chatham. Dr. Drummond, archbiſhop of York, having called the diſſenting miniſters "Men of cloſe ambition;" lord Chatham accuſed him of judging uncharitably: "Whoever brought ſuch a charge againſt them defamed,"—Here he pauſed, and then proceeded—"The diſſenting miniſters are repreſented as men of cloſe ambition. They are ſo, my lords; and their ambition is to keep cloſe to the college of fiſhermen, not of cardinals, and to the doctrine of inſpired apoſtles, not to the decrees of intereſted and aſpiring biſhops. They contend for a ſpiritual creed, and ſpiritual worſhip. We have a Calviniſtic creed, a Popiſh liturgy, and an Arminian clergy." This debate is not reported, and for this ſpeech I have no authority, except a report of Mr. Burke's ſpeech, on the 2d of March 1790, in Debrett's Parliamentary Regiſter, vol. xxvii. p. 179.

## CHAPTER THE TWENTY-FIRST.

1771—1774.

*View of the war between Ruſſia and the Porte.—Commencement of hoſtilities.—Succeſſes of Ruſſia.—Deſtruction of the Turkiſh fleet.—Jealouſy of France.—Congreſs at Fokſhiani.—Preparations of France.—Augmentation of the Britiſh naval force.—French miniſter eager for war.—The king averſe.—Preparations at Breſt.—Conference of lord Stormont with the French miniſter.—Armament at Breſt diſcontinued.—New one at Toulon.—Preparations in England.—Second conference of the Britiſh embaſſador with the French miniſter.—France deterred from hoſtilities.—Preparations mutually ſuſpended.—Peace between Ruſſia and the Porte.—Tranſactions of the city of London.—Reſolutions reſpecting the duration of parliament.—Addreſs and remonſtrance to the king.—Ineffectual efforts to revive the popularity of Mr. Wilkes.—He moves an addreſs to the king, which is negatived.—Libels the lord mayor—And is unſucceſsful as candidate to ſucceed him.—State of Ireland.—Meeting of parliament.—The houſe ſurrounded by a mob.—Oppoſition to, and proteſt againſt the addreſs.—Reſignation of Mr. Ponſonby.—Proceedings in the enſuing ſeſſion.—Addreſſes oppoſed.—Amended money bill rejected.—Alterations in the eſtabliſhment of revenue officers.—Hearts of Steel.—Loan negotiated.—Prorogation of Parliament.—Lord Townſhend recalled.—Succeeded by lord Harcourt.—Affairs of America.—Conteſt of the New England aſſembly with the governor.—Taxation of revenue officers.—Addreſs—Remonſtrance—And prorogation of the aſſembly.—Progreſs of oppoſition.—Influence in the aſſembly.—Perverſe uſe of the preſs.—Dependent ſtate of the judges.—Governors prohibited from receiving preſents.—Proceedings of the aſſembly.—Legiſlature removed back to Boſton.—Tumultuous ſtate of that town.—Revenue officers inſulted.—The ſchooner Gaſpee burned.—Report of the intention to fix the ſalaries of the judges.—Town meeting.—Correſponding committees appointed.—Obſervations on them.—Declaration of rights.—Addreſs to the people.—Meeting of the legiſlature.—They*

*deny*

*deny the legiſlative authority of parliament.—Tranſactions reſpecting the ſalaries of judges.—The governor aſſents to the act—But refuſes to aſſent to a further grant.—Activity of the correſponding committees.—Publication of letters from Governors Hutchinſon and Bernard.—Proceedings of the aſſembly.—They petition the king to remove the governor and lieutenant-governor.—Effect of the publication in America.—Effect of the act for exporting tea duty-free.—Proceedings at Boſton.—Arrival of a ſhip.—Body meeting.—Other ſhips arrive.—Their cargoes thrown into the ſea.—Proceedings in other provinces.—Impeachment of the chief juſtice.—His letter.—Aſſembly diſſolved.*

CHAP. XXI.

1ſt July, 1773. King's ſpeech at the cloſe of the ſeſſion.

IN his ſpeech, at the cloſe of the ſeſſion of parliament, the king mentioned the affairs of the continent, in theſe terms: "The continuance of the war between Ruſſia and the Porte, with both of whom I am cloſely connected in friendſhip, although under no engagement to either, gives me great concern. But, from the pacific diſpoſition of other powers, I have reaſon to hope that theſe troubles will extend no further. I ſhall perſevere in my earneſt endeavours to preſerve the general tranquillity of Europe, at the ſame time it ſhall be the conſtant object of my care, to be ſufficiently prepared againſt any event which may affect the honour, ſafety, or intereſt of my kingdoms."

Commencement of hoſtilities between Ruſſia and the Porte.

HOSTILITIES between theſe two powers had raged ſince the year 1769: their firſt ſpring may probably be found in the intriguing genius of Choiſeul, who fomented diſturbances in Poland, for the purpoſe of reſerving to his cabinet the power of interfering, when a favourable occaſion ſhould preſent itſelf. By the exertions of the French miniſter, a party was foſtered, called the Confederation of Bar, who, uniting religion with patriotiſm, maintained open rebellion againſt the authority of king Staniſlaus Auguſtus. They frequently ſolicited the aſſiſtance of the Turks, but without effect, till, in October 1768, prince Gallitzin, in purſuing a party of Poles, not only entered the

CHAP. XXI.

the Turkiſh dominions, but burned Balta, a ſmall town belonging to the ſultan.

1773.

IRRITATED by this violation of territory, and inſtigated by the intereſted repreſentations of France, the ſultan impriſoned, in the Seven Towers, Oſbrekow, the empreſs's miniſter at Conſtantinople. This violence occaſioned the commencement of a war, during which the Ruſſian empire firſt diſplayed its mighty energies; the conteſt was conducted with great animoſity, but generally favourably to the Ruſſians: they over-ran Wallachia and Moldavia; and the empreſs having adopted the novel and bold meaſure of ſending a fleet into the Mediterranean, the Turkiſh marine was effectually deſtroyed in the harbour of Cheſme, on the coaſt of Natolia.

Deſtruction of the Turkiſh fleet.

Jealouſy of France.

FRANCE beheld theſe events with jealouſy and alarm: ſhe had encouraged the commencement of hoſtilities, in the hope of reducing the power of Ruſſia, and was proportionally irritated at finding them tend to the aggrandizement of the empreſs, and diſgrace of the Turks. The Ruſſian naval power was regarded with peculiar malevolence; and the French cabinet made ſeveral efforts to aſſiſt the grand ſultan, which were always over-awed by the reſolution of the Britiſh miniſtry, and the formidable ſtate of the Britiſh fleet.

Congreſs at Fokſhiani.

IN Auguſt 1772, a pacificatory congreſs was ineffectually held at Fokſhiani, and probably the French influence was ſtill exerted, in preventing the Turks from acceding to terms, humiliating to them, and advantageous to Ruſſia.

Preparations France.

CONSIDERABLE maritime preparations were made in the French ports, and all means attempted to lull the ſuſpicions, or elude the vigilance of the Britiſh miniſtry, but in vain. The king, bound by treaties with both the contending powers, refuſed to permit the undue interference of a foreign nation, or an armament, for the purpoſe of dictating a mode of pacification.

cation. Early in the late ſeſſion of parliament, meaſures were adopted for putting the navy on a reſpectable eſtabliſhment; twenty thouſand men were voted for the ſervice of the year; and although the delicacy of the criſis forbad the miniſtry to diſcloſe the real motive of their preparations, it did not eſcape the penetration of oppoſition, who obſerved, that while the king's ſpeech breathed ſentiments of peace, the meaſures of his ſervants indicated nothing but hoſtility[a]. CHAP. XXI. 2d Dec. 1772. Augmentation of the Britiſh naval force.

THE duke d'Aiguillon, the ſucceſſor of Choiſeul, was anxious to engage in the conteſt, and eſſayed every art to make the Britiſh court regard his proceedings with indifference. In a council at Verſailles, he announced a demand made by Sweden, for certain ſuccours ſtipulated by France, on the plea, that her independency was threatened by a joint attack from Ruſſia and Denmark: the king and many members of the cabinet were averſe from hoſtility, as other great nations would alſo interfere, and a general war would probably enſue: they propoſed a ſupply in money, but d'Aiguillon aſſerted, that Sweden inſiſted on an armed ſuccour; a fleet of fourteen ſail, he ſaid, might be equipped in a month; England would not oppoſe, and Holland would aſſiſt in the meaſure. Louis XV. was diſpleaſed at the proſpect of hoſtilities; but the members of the council who had declared their ſentiments, did not venture further to oppoſe the miniſter, and orders were diſpatched to Breſt for arming twelve ſhips of the line and two frigates, manned with ſeven thouſand ſailors. French miniſter eager for war. 28th Mar. 1773. The king averſe. Preparations at Breſt.

IN an interview with lord Stormont, the Britiſh embaſſador, d'Aiguillon dwelt on the ambitious views of Ruſſia, her demands on the Porte, and her aiming to reign deſpotically in the north, by regulating the government of Sweden, and attacking that kingdom 30th Mar. 1773. Conference of lord Stormont with the French miniſter.

[a] See Debrett's Debates, vol. vi. p. 301 to 314. Alſo reſpecting the war, Œuvres du Roi de Pruſſe, vol. iv. Life of the Empreſs Catherine, vol. ii. c. v. vi. and vii. Eton's Survey of the Turkiſh Empire, c. v.

CHAP. XXI. 1773.

in concert with Denmark; France, he ſaid, was bound, by every tie of intereſt and honour, to ſupport Sweden, if attacked. Lord Stormont, perceiving the drift of theſe obſervations, anſwered, much would depend on the mode of ſupporting Sweden; for although the king wiſhed to avoid whatever could diſturb the harmony ſubſiſting between the two courts, a French fleet in the Baltic would draw a Britiſh fleet there alſo. The duke, diſſatisfied at this intimation, obſerved, that England always backed her friendly profeſſions with a declaration, inſiſting, that France ſhould renounce her honour, by abandoning her ancient ally, threatened with deſtruction; a requiſition with which he could never comply. Lord Stormont replied, that France might give other ſuccours; but the entry of two fleets into the Baltic, would in effect be no more beneficial than a neutrality: this declaration was carefully qualified, by obſerving, he had never ſaid the Britiſh would attack the French fleet, but he could not be reſponſible for contingencies ariſing from the preſence of two ſquadrons in the ſame ſea.

4th April. Armament at Breſt diſcontinued.

THIS vigorous language produced ſome effect; the preparation at Breſt was countermanded: but ſtill the French court, hoping to elude the vigilance of the Britiſh government, directed an armament of twelve or thirteen ſail of the line to be equipped at Toulon, under pretence of exerciſing the ſailors; and the order for ſeven thouſand men at Breſt was not retracted.

New one at Toulon.

4th April. Preparations in England.

IN announcing this information, lord Stormont ſuggeſted, that vigorous and immediate preparations, on the part of Great Britain, without affected ſecrecy or affected oſtentation, might be the moſt effectual means of preſerving the public tranquillity. This

7th April.

prudent advice being conſonant to the judgment of the cabinet, the embaſſador was inſtructed to declare, that if France ſtirred an oar, England would immediately bend her ſails: and that no propoſal could be admiſſible, tending to lead Great Britain to connive

at

at France ſending a fleet into the Baltic or Mediterranean. CHAP. XXI.

1773.

BEFORE the receipt of theſe inſtructions, d'Aiguillon expreſsly avowed to lord Stormont the intended armament at Toulon, though he declared it was only equipped for the purpoſe of performing evolutions. After much diſcuſſion, lord Stormont obſerved, that although he had not, in his former diſcourſe, mentioned the Mediterranean, yet his arguments reſpecting the Baltic applied with equal force to that ſea; and aſked the duke if he ſeriouſly meant the fleet for evolutions alone? D'Aiguillon replied, he indeed intended it ſo, but it might poſſibly be employed in aſſiſting Sweden. 6th April. Second conference of the Britiſh embaſſador with the French miniſter.

CONVINCED from the manner of the French miniſter, that he was bent on plunging the two kingdoms in war, and apprehenſive he did not truly repreſent to his ſovereign the ſentiments of the Britiſh court, lord Stormont ſuggeſted the propriety of delivering a memorial to the duke, as he then muſt ſubmit it to the king of France; he alſo announced, that the Toulon ſquadron would be ready for ſea by the end of May, and recommended an immediate armament as the beſt means of preſerving peace. 7th April.

IN purſuance of this advice, a memorial was forwarded to lord Stormont; and proper orders iſſued for a naval equipment. 14th April. Memorial to the French court.

IN the mean time, another council was held at Verſailles, in which d'Aiguillon faithfully reported the ſentiments of the Britiſh miniſter; and lord Stormont was ſoon informed that the Toulon ſquadron was either diſarmed or conſiderably reduced. This information was confirmed by the duke himſelf, who negligently ſaid, orders had been iſſued to ſuſpend the armament, and the ſailors countermanded: two frigates only would be ſent to the Archipelago, and three ſhips of the line to Breſt. 12th. French deterred from hoſtilities. 18th. 20th.

SHORTLY afterward lord Stormont being interrogated by d'Aiguillon on the naval preparations in England, Preparations mutually ſuſpended. 30th.

CHAP. XXI. 1773.

England, anſwered, that the proceedings of France would regulate thoſe of his ſovereign; and in a few days he was officially informed, that the armament was abandoned till further orders [b].

Peace between the belligerent powers.

THUS, by a timely exertion of reſolution and vigour, tempered with moderation, Great Britain not only avoided the calamities of war, but effectually ſerved the cauſe of her ally, and facilitated the peace, which was in the next year concluded between Ruſſia and the Porte [c].

16th Feb.

THE progreſs of this affair occaſioned no great ſenſation in England. The faction in the city was reduced by diviſions to the loweſt ebb. Its leaders attempted to intereſt the public by recurring to general topics of legiſlation, and therefore, on the motion of Oliver, the court of aldermen reſolved, "That a frequent appeal to the conſtituent part of the people, by ſhort parliaments, was their undoubted right, and the only means by which the right of a real repreſentation could be enjoyed and maintained." In conſequence of this vote a livery was called, who adopted a ſimilar reſolution, and propoſed a teſt for the city candidates at any future election, by which they ſhould bind themſelves to uſe every endeavour in obtaining annual, or at leaſt triennial parliaments.

Reſolutions paſſed by the city of London, reſpecting the duration of parliament. 11th Mar.

Addreſs and remonſtrance to the king.

26th Mar.

THEY alſo agreed to a new addreſs, petition, and remonſtrance, on the old ſubjects of the Middleſex election, the impriſonment of the magiſtrates, and the eraſure of the record in Mr. Wilkes's caſe, and praying for a diſſolution of parliament, and diſmiſſion of the miniſtry. The king, when it was preſented, ſaid, it was ſo void of foundation, and conceived in ſuch diſreſpectful terms, that he was convinced the petitioners themſelves did not ſeriouſly imagine it could be complied with.

[b] From private information; letters and minutes taken on the occaſion.

[c] The Britiſh fleet was in June aſſembled at Portſmouth: on the 22d, the king went to view this grand national bulwark, and endeared himſelf to every one by his affability and bounty.

MANY

CHAP. XXI.

1773.

MANY attempts were ineffectually made to revive the popular enthuſiaſm for Mr. Wilkes. On a call of the houſe, the ſheriffs ſummoned him among the county and city members, and omitted Mr. Luttrell; Mr. Wilkes, alſo, in a letter to the ſpeaker, renewed his claim to a ſeat, and in the uſual manner inveighed againſt the return of his opponent: he applied at the petty-bag office for a certificate of his election, which was refuſed, as the firſt return of the writ had been altered by the houſe. He tranſmitted his complaint on the ſubject to ſerjeant Glynn, who mentioned it in parliament, and made an unſucceſsful motion that Mr. Wilkes ſhould be permitted to ſubſtantiate his charge. Sir George Savile availed himſelf of this opportunity to renew his motion relative to the rights of election; it occaſioned a debate, but was negatived [d].

Efforts to revive Wilkes's popularity. 7th April. 20th.

MR. WILKES, who, in purſuing his favourite object of wounding the feelings of the king, was never reſtrained by delicacy or decorum, made a motion, in a court of common-council, for an addreſs, congratulating his majeſty on the ſafe delivery of the duchess of Glouceſter. This effort of mean and wanton inſolence was oppoſed, as an affront to the king, and at length negatived, becauſe it was not uſual for the city to addreſs, except for the iſſue of the immediate heir to the crown.

9th June. He moves an addreſs; which is negatived.

LIBELS againſt the members of different juntos in the city were now no leſs common and frequent than thoſe againſt the court and courtiers. Mr. Wilkes, in a public paper, ſtigmatized the rule of the lord mayor (Townſhend) for violence, tyranny, neglect of public buſineſs, contempt of order and decorum, and the moſt ſordid parſimony. For this offence he was called to account by the court of aldermen; but inſtead of denying, gloried in the charge, and added partiality and cruelty to his former accuſations. He

Wilkes's aſperſions on the lord mayor. 10th Sept.

[d] 201 againſt 151.

CHAP. XXI.

1773.

was afterward candidate for the mayoralty, but without ſucceſs; alderman Bull was elected, and the vote of thanks to the late magiſtrate was accompanied by a motion of cenſure on his libeller, which was only withdrawn on the interceſſion of alderman Townſhend himſelf.

17th Nov.

State of Ireland.

DISCONTENT and turbulence ſtill prevailed in Ireland. The ſudden prorogation of parliament was not forgiven, and thoſe who felt the greateſt reſentment employed the interval in reinforcing their friends, and concerting new meaſures. Lord Shannon and Mr. Ponſonby were, during the receſs, deprived of all their places, and the acceſſion of their ſtrength and influence was anxiouſly expected by the minority.

26th Feb. 1771. Meeting of parliament.

THE lord-lieutenant met the legiſlature with a conciliatory ſpeech, informing them, that the bounties on exportation of linen were continued and extended; and that, with a very ſtrict economy, the duties granted in the laſt ſeſſion would be ſufficient for the expences of the year, and no ſupply required. He rejoiced in the opportunity of co-operating with them for the public welfare, and flattered himſelf that their mutual endeavours would bring the ſeſſion to a ſpeedy and happy concluſion.

27th. Houſe ſurrounded by a mob.

ON the enſuing day, when the addreſs was to be moved, a mob, armed with clubs and cutlaſſes, ſurrounded the houſe of parliament, and attempted to compel ſeveral members to take an oath of their dictating, which, being refuſed, many perſons diſtinguiſhed for their adherence to government were inſulted and mal-treated; nor was the tumult quelled without the aſſiſtance of the military.

Addreſſes oppoſed.

THE addreſſes were ſtrenuouſly oppoſed in both houſes; and a paragraph, thanking the king for continuing lord Townſhend in the lord lieutenancy, occaſioned a ſtrong proteſt, ſigned by fifteen peers, and concluding in theſe terms: "Becauſe moderation, firmneſs, conſiſtency, a due diſtinctive regard to all ranks of perſons, a regular ſyſtem of adminiſtration, being,

Proteſt

being, as we conceive, indiſpenſably requiſite to the ſupport and dignity of government, and to the conduct of his majeſty's affairs, we cannot, without violation of truth and juſtice, return thanks to the king for continuing a chief governor, who, in contempt of all forms of buſineſs, and rules of decency, heretofore reſpected by his predeceſſors, is actuated only by the moſt arbitrary caprice, to the detriment of his majeſty's intereſt, to the injury of this oppreſſed country, and to the unſpeakable vexation of perſons of every condition." Mr. Penſonby, the ſpeaker of the houſe of commons, at the ſame time, reſigned the chair, declaring by letter, that he conſidered the addreſs, after the tranſactions of the laſt ſeſſion, derogatory to the dignity of the houſe: he was ſucceeded by Mr. Pery. The king returned a gracious anſwer to the addreſs; but the buſineſs of the ſeſſion was not important. CHAP. XXI. Reſignation of Mr. Penſonby. 4th March, 1771.

DURING the receſs, the preſs teemed with publications relative to the ſtate of Ireland, and the conduct of the lord-lieutenant; and oppoſition prepared to exert itſelf with increaſed vigour. At the opening of the enſuing ſeſſion, the viceroy, in his ſpeech, obſerved, that the revenue had fallen conſiderably ſhort of its intended purpoſes, and attributed the deficiency, in a great degree, to the premiums and bounties allowed by parliament, and the expences of public works. Efforts of oppoſition. 8th Oct. Proceedings in the enſuing ſeſſion.

THE ſtrength of oppoſition was again eſſayed in both houſes, in combating the addreſſes: in the lords, the minority, headed by the duke of Leinſter, and lord Moira, inſiſted, that the deficiencies complained of in the lord-lieutenant's ſpeech did not ariſe from the cauſes he aſſigned, but from the late unconſtitutional prorogation. Failing in their attempt to negative the addreſs*, all the peers who compoſed the minority joined in a proteſt. Addreſſes oppoſed. Proteſt. 9th Oct. 1771.

* It was carried by 23 to 11.

CHAP. XXI.

In the houſe of commons, ſeveral eminent orators diſtinguiſhed themſelves in reſiſting the addreſs: they alleged the impropriety of concurring in it, at leaſt till accounts delivered to the houſe enabled them to judge whether the deficiency in revenue was truly attributed to patriotic exertions, or whether it aroſe, in fact, from the great number of places and penſions ſo flagrantly diſtributed among the members compoſing the court party. The conduct of the lord-lieutenant in proroguing parliament was alſo ſeverely arraigned. The meaſures of government were defended with equal ability, and the vote of the laſt ſeſſion, thanking the king for continuing lord Townſhend in his ſituation, was applied in convicting thoſe who were now ſo anxious to criminate him of inconſiſtency, and attempting to miſlead the houſe. After a debate, which laſted till half after three o'clock in the morning, the addreſs was carried.

Strenuous exertions of oppoſition.

The oppoſition party were neither diſpirited nor diſconcerted by this failure: they ſaw their importance and numbers increaſe on every diviſion, and perſevered with all the ardour inſpired by a view of ſucceſs. For four months the houſe never roſe before ten o'clock, and frequently ſat ſeveral hours after midnight: a new attack was almoſt every day made on government. On a propoſition for a new board of accounts, after a protracted debate, the oppoſition divided a minority of five only [f], but in the rejection of a money bill, obtained a complete triumph.

5th Dec.

Money bill amended in England, rejected in Ireland. 20th Dec.

An act of the Iriſh parliament was ſent to England, containing means of ſupply, but was returned from the Britiſh council altered in three material particulars. On its return, after an animated debate, it was rejected without a diviſion; but the houſe of commons, to avert the calamities which would reſult from a want of ſupplies, inſtantly brought in a new bill containing all the grants of the former, and even admitting two

[f] 121 to 119.

of the three amendments which occaſioned its rejection: they read it three times in the ſame ſitting, and ſent it to the lords. The whole tranſaction did not occupy two hours. The ſpeaker, in preſenting the bill to the lord-lieutenant, aſſured him of the inviolable attachment of the commons to the king, and their zeal for his ſervice. 1ſt Jan. 1772.

ANOTHER meaſure of government which gave great offence was the increaſe of revenue officers, by putting the cuſtoms and exciſe under ſeparate boards; this alteration created an additional expence of ſixteen thouſand pounds per annum, but the difference was abundantly repaid by the prevention of frauds. The party in oppoſition alleged that a great part of the revenue officers already appointed reſided in England, and the increaſe of the number tended merely to the augmentation of patronage. A reſolution paſſed the houſe of commons, expreſſing diſapprobation of the meaſure before it was known to have been adopted by the king; and when the appointment was announced, a reſolution was paſſed, declaring, that whoever adviſed the increaſe of commiſſioners of the revenue beyond ſeven, adviſed a meaſure contrary to the ſenſe of the houſe[z]. A bill was alſo brought in for limiting the number of placemen to ſit in parliament, but failed. Alteration reſpecting revenue officers. Feb. 1772.

MEANWHILE, the north of Ireland was over-run by a turbulent and ſavage banditti, who, under the name of *Hearts of Steel*, perpetrated the greateſt outrages, and the blackeſt crimes: they were in ſufficient force to keep the whole country in alarm, and were not quelled without the aid of the military. Hearts of Steel.

SUCH continual efforts of oppoſition, frequently attended with ſucceſs, and ſuch frequent inſurrec- Loan negotiated.

[z] The diviſion was equal, 106 on each ſide; the ſpeaker gave a caſting voice in the affirmative. The reſolution was a mere nullity, as the king had created the commiſſioners before the paſſing of the reſolution alluded to as containing the ſenſe of the houſe: but the motion, and the ſtrength of oppoſition, ſhow the ſtate of public opinion.

CHAP. XXI. 1772.

tions in the country, not only impaired the energies of government, but diminiſhed its pecuniary credit. The receipt of revenue was ſo much impeded, and the expenditure ſo much overcharged in conſequence of popular motions, that an alarming deficiency which had been felt for many years, and was continually increaſing, was ſubmitted to parliament. The houſe of commons propoſed to aſſiſt government by a loan of two millions; but men of property were not eaſily induced to advance the requiſite ſums on the ſlender ſecurity of tax acts, paſſed for two years only, while, by the efforts of oppoſition, the permanent revenue was incumbered to the annual amount of fifty thouſand pounds, and while the turbulence of the populace was in ſome meaſure ſanctioned and inſtigated, by repeated attacks on the conſtitution.

2d June. Termination of the ſeſſion.

THE viceroy, at the cloſe of the ſeſſion, expreſſed approbation of ſeveral acts, but complained of the ſmallneſs of ſupplies, and ſuggeſted the impoſſibility of their ſufficing, unleſs a conſiderable increaſe in the revenue was effected. The concluſion of his ſpeech had a valedictory appearance, and before the next meeting of the legiſlature he was recalled[h], and replaced by lord Harcourt, who was received with great joy by the Iriſh. Diſſatisfaction was however generally prevalent, and exaggerated accounts were circulated, tending to impreſs a belief of emigrations, to an enormous and dangerous amount, from all the towns and manufacturing counties in the kingdom[i].

9th Oct. Lord Townſhend recalled.

28th Nov. Lord Harcourt, lord lieutenant.

Affairs of America.

THE riſing and widely-diffuſed ſpirit of diſſatisfaction and oppoſition, which had already occaſioned ſo much embarraſſment in the government of America, now aſſumed a more formidable aſpect, and produced

[h] Lord Townſhend was not recalled under circumſtances of diſgrace: he was immediately appointed maſter-general of the ordnance. The perſonal rancour excited by his adminiſtration was ſo great, that he was obliged to fight (2d Feb. 1773) a duel with lord Bellamont, who was dangerouſly wounded in the body, but recovered.

[i] For theſe circumſtances, ſee the accounts preſerved in the periodical publications.

thoſe

CHAP. XXI.

1771.

thoſe events by which the ſeparation of the parent ſtate from its colonies was effected.

THE repeal of American duties was not ſatisfactory to the oppoſition party in the colonies; the exception of tea afforded an opportunity of urging that, although Great Britain had been twice foiled in attempts to raiſe a revenue, the intention was not abandoned, but the right being reſerved, an opportunity alone was wanting to carry it into execution. The inſinuation was not devoid of plauſibility, and the preſs frequently adverted to it for the purpoſe of exciting diſcontent; but, although jealouſy and alarm were thus kept alive, the majority of the people were not eaſily propelled to action by mere theoretical ſtatements and ſurmiſed poſſibilities. Yet cordiality was not reſtored: tea from Great Britain was ſtill a prohibited article, and the inhabitants of the New England provinces aſſiduouſly cheriſhed the ſentiments of diſaffection, which they hoped ultimately to impart to other colonies. Theſe reſolute republicans would not have been ſatisfied with a total abolition of the claim to taxation; they anxiouſly awaited ſuch conceſſion from the mother-country, as would, in fact, render America independent.

Conteſt of Maſſachuſet's Bay with governor Hutchinſon.

THE removal of the legiſlature from Boſton to the town of Cambridge, diſtant about four miles, afforded room for ſtrenuous complaints from the houſe of repreſentatives to Mr. Hutchinſon, Sir Francis Bernard's ſucceſſor in the government of Maſſachuſet's Bay. In anſwer to a meſſage on this ſubject, he aſſured them he was unable to comply unleſs authorized by the king, but would ſolicit his permiſſion, and hoped to obtain it before another ſeſſion.

30th May.

Taxation of revenue officers.

BEFORE the end of the ſeſſion, however, he found it neceſſary to alter this conciliatory language. The eſtabliſhment of a board of cuſtoms, and the powers committed to the revenue officers, formed a more ſerious ground of complaint than any taxation impoſed or attempted by Great Britain: and the legiſlators of

CHAP. XXI. 1771.

New England, although they could not make the prevention of ſmuggling a ſubject of invective, uſed every little art and ſiniſter chicane to oppreſs the perſons employed in protecting the revenue. During late years, they had introduced a practice of aſſeſſing the officers of the crown, reſiding among them, for the profits derived from their commiſſions: the governor, in conſequence of repreſentations on the ſubject, was expreſsly inſtructed to withhold his conſent from ſuch laws, on whatever pretence they might be founded.

4th July, 1771.

THE legiſlature having paſſed an act, in the new form, for "apportioning and aſſeſſing a tax of 1,500l." the governor, in very mild terms, informed them of his inſtructions, and ſtated that the general clauſe in the bill, empowering aſſeſſors to tax all commiſſions of profit, needed qualification, and ſhould extend only to commiſſions peculiarly relating to the province, otherwiſe, any of his majeſty's ſervants, occaſionally reſident for a ſhort term, might be taxed for profits received from their commiſſions and places in Great Britain, or any other part of his majeſty's dominions.

5th. Addreſs of the aſſembly.

A STRENUOUS debate enſued, and a copy of the inſtructions being communicated, the aſſembly unanimouſly voted an addreſs, in which they termed the governor's reaſon for refuſing to ſanction the bill, ſurpriſing and alarming. "We know of no commiſſioners of his majeſty's cuſtoms," they ſaid, "nor of any revenue, his majeſty has a right to eſtabliſh in North America: we know, and we feel a tribute levied and extorted from thoſe, who, if they have property, have a right to the abſolute diſpoſal of it."

Remonſtrance.

A REMONSTRANCE was alſo agreed to on the governor's refuſal to ratify the grant of certain ſums of money to Meſſrs. Bollan and De Berdt, the colonial agents.

Aſſembly prorogued.

Governor Hutchinſon checked the progreſs of theſe debates by proroguing the general court. In his ſpeech, he ſaid, whatever might be the rights of the

the legiſlature in matters of taxation, the crown had reſerved to itſelf the prerogative of diſallowing laws; and as the rejection of a tax act, after it was in part executed, would cauſe great perplexity, the king's inſtructions, pointing out thoſe parts which he diſapproved, afforded an unexceptionable inſtance of tenderneſs and paternal regard. He promiſed alſo to tranſmit his meſſage, and their extraordinary anſwer, to be laid before his majeſty. CHAP. XXI. 1771.

THE determined ſpirit of oppoſition ſhewn by the aſſembly, and the ſyſtem and perſeverance with which it was proſecuted, indicated great ſtrength of combination, and firmneſs of arrangement. Every meaſure taken by the popular party ſince the commencement of diſputes between the mother-country and colonies, tended to give vigour, and enſure ſucceſs, to their ulterior efforts. The government, when tranquillity was apparently reſtored, rejoiced in the abſence of diſcontent, and baniſhed all fear and jealouſy: the oppoſition party, on the contrary, dreaded the abatement of public effervescence, and excited ſuſpicion and apprehenſion by the revival of old topics of diſpute, and the ſuggeſtion of new ones, either exiſting or probable. Effigies, paintings, and other imagery, were exhibited to inflame the public mind; the fourteenth of Auguſt was annually celebrated as a feſtival in commemoration of the deſtruction of a building, the property of the lieutenant-governor, which was *demoliſhed by a mob, on the ſuppoſition of* its being *deſigned for a ſtamp-office*, and *of the owner's being compelled to reſign his office* of ſtamp-maſter, under the tree of liberty. The fifth of March, the anniverſary of the pretended maſſacre of Boſton, was alſo marked out for the periodical delivery of orations at one of the meeting-houſes; liſts of imaginary grievances were continually publiſhed; the people were told that the miniſtry had formed a plan to enſlave them, and conjured, by the duty they owed to themſelves, their country, and their God, by the reverence due Progreſs of oppoſition.

CHAP. XXI. 1771.

due to the ſacred memory of their anceſtors, and by their affection for unborn millions, to rouſe and exert themſelves in the common cauſe. They were further ſtimulated by pretences that the people of England were depraved, the parliament venal, and the miniſtry corrupt; nor were attempts wanting to traduce majeſty itſelf. The kingdom of Great Britain was depicted as an ancient ſtructure, once the admiration of the world, now ſliding from its baſe, and ruſhing to its fall; at the ſame time the natives were called upon to mark their own rapid growth, and to behold the certain evidence, that America was on the eve of independent empire. The diſſenting miniſters actively inculcated the ſame ſentiments from their pulpits, and with religious ſolemnity, with forcible appeals to Heaven, and with all the advantages derived from habit, religious opinion, and popular predilection, enforced the topics and principles which their audience had before read in newſpapers. The friends of government could not recur to the ſame, or even ordinary means, in ſupport of their cauſe, as the preſs was entirely enſlaved to the other party; printers were threatened with ruin for publiſhing in their behalf, and one printer was, for his perſeverance, compelled to abandon the country.

Influence in the aſſembly.

THE legiſlature was entirely ſubjected to a committee of the moſt active amongſt the popular members; who, in ſecret, framed the popular reſolves, and other violent meaſures. It was their policy to particularize the votes of every member, which were publiſhed in the enſuing gazette, with the names of the repreſentatives, who were expoſed to reſentment and contempt by ſevere ſtrictures and invectives. Individuals, thus rendered objects of deteſtation to their conſtituents, were eaſily ſupplanted at a new election; and although the loſs of a ſeat was not in itſelf of great importance, yet, when the unſucceſsful candidate became ſtigmatized as an enemy to his country, he was expoſed to inſult, his profeſſional purſuits were impeded, and

and the welfare of himſelf and family rendered precarious. Under the influence of theſe terrors, few members could be found ſufficiently hardy to oppoſe the popular voice; the apparent unanimity of the aſſembly encouraged factious proceedings out of doors; and the popular party in the legiſlature derived new courage from the ſucceſs of their adherents in the town [k]. CHAP. XXI. 1771.

WHILE ſuch was the ſtate of the legiſlative body, no reliance could be placed on the due adminiſtration of juſtice, as the governor and the judges were dependent for their ſalaries on the votes of the colonial legiſlature, although their commiſſions were given by the king, and tenable during his pleaſure. The ſalaries of the judges were inadequate to the dignity of their ſtations, and diſproportionate to thoſe of other officers of government: they had often petitioned for an advance, but without effect, and their known dependence diminiſhed their authority. In their charges to grand juries they in vain recommended the prevention of riots and inſurrections; the jurors, who were men of property, and invariably of the popular party, refuſed attention to the inſtructions of perſons whoſe rank in ſociety was rendered leſs reſpectable by the want of a ſufficient eſtabliſhment; and libels on magiſtrates and governors were repeatedly ſuffered to paſs unnoticed, although the proof was copious and flagrant. Party extended its influence to the whole adminiſtration of juſtice; juries, even in caſes of property, gave deciſions biaſſed by the political connexions of the ſuitors, and the judges, reſtrained by a recollection of their own dependence, could not reverſe, by a declaration of the law, theſe injurious proceedings [l]. Dependent ſtate of the judges.

SENSIBLE of the neceſſity of terminating this diſgraceful ſubjection, the miniſtry, in purſuance of an act of parliament, enjoined the governors of provinces 1772. Governors prohibited from receiving preſents.

[k] See Maſſachuſſetenſis, a ſeries of letters by Mr. Lenard, a member of the council of Maſſachuſet's Bay; Bolton, printed; London, reprinted for Mathews in the Strand, 1776.—Letter ii.

[l] Maſſachuſſetenſis, Letter iii.

CHAP. XXI.

1772.

to withhold their conſent from any act, for a gift or preſent from the aſſembly or others to them, on pain of recal.

May. Proceedings of the aſſembly.

THE houſe of repreſentatives of Maſſachuſet's Bay, in a meſſage to Mr. Hütchinſon, required information, Whether proviſion was made for him as governor, in any other than the uſual manner by gifts and grants from the general aſſembly? He anſwered, That his majeſty, in purſuance of an act of parliament, had made certain and adequate proviſion for his ſupport in his ſtation; and he ſuppoſed he could not, without ſpecial permiſſion, accept of any grant from the province for his ordinary ſervices.

ON this anſwer, the aſſembly voted the governor's acceptance of ſupport not derived from the general aſſembly, a dangerous innovation, which rendered him independent of the people, and not ſuch a governor as the people conſented to at the time of granting their charter; and they moſt ſolemnly proteſted againſt the innovation, as a change of the conſtitution, which expoſed the province to deſpotiſm.

18th June. Legiſlature removed back to Boſton.

NOTWITHSTANDING this contumacious proceeding in the aſſembly, the governor was diſpoſed to conciliatory meaſures, and, on the favourable report of the council, complied with the wiſhes of the people, by adjourning the ſeſſion for a few days, and appointing their next meeting at Boſton. But, although the council certified, on their oaths, that the governor might, with a proper regard to the king's inſtructions, remove the general court to Boſton, that town was ſtill in a moſt tumultuous ſtate, and the ſpirit of inſubordination active and unſubdued.

Tumultuous ſtate of that town.

Revenue officers inſulted.

THE eſtabliſhment of a board of commiſſioners, and the activity employed in the prevention of ſmuggling, occaſioned the utmoſt diſcontent; and, after the removal of the troops from Boſton, the revenue officers were expoſed to conſtant inſults: the offenders were not reſtrained by the magiſtracy, and openly encouraged by the wealthieſt merchants. Obnoxious

noxious perſons were ſtripped, daubed with tar, then covered with feathers, and, in that ſtate, carried through the ſtreets, derided, ſtruck, and ſcourged by the populace [m].

CHAP. XXI. 1772.

Burning of the ſchooner Gaſpee.

THE other New England provinces participated in the ſame ſpirit: at the town of Providence, in Rhode Iſland, a place notorious for ſmuggling, a king's ſchooner called the Gaſpee was ſtationed; the commander of which, lieutenant Doddingſtone, was deteſted for his vigilance and activity. At midnight, 10th June. the Gaſpee was boarded by two hundred armed men from boats, who, after wounding the commander, and forcibly carrying him and the crew on ſhore, burned the veſſel. The perpetrators of this daring exploit were never diſcovered, although a reward of five hundred pounds was offered, together with a pardon, if claimed by any of the accomplices [n].

Report of the intention to fix the ſalaries of judges.

DURING a receſs of the legiſlature of Maſſachuſet's Bay, it was rumoured, as the fact really was, that the miniſtry intended to grant not merely to the governor, but to the judges, adequate ſalaries, payable out of the public revenues; the popular party repreſented this as a miniſterial plan, to render the judges dependent on the crown; and the preſs immediately teemed with new invectives. Great Britain, it was ſaid, having failed in the attempt to dragoon the province into a ſlaviſh ſubmiſſion, was now aiming at the accompliſhment of the ſame end, by corrupting the ſource of juſtice.

25th Oct. Town meeting.

THE ſelect men immediately appointed a town meeting at Faneuil Hall, to inquire into the grounds of the report. A meſſage was tranſmitted to the governor, ſtating the alarm excited among all conſiderate perſons, by the report of a meaſure tending rapidly to complete the ſlavery, which originated in a power aſſumed by the houſe of commons of Great Britain, to grant the money of the coloniſts without

Meſſage to the governor.

[m] See Almon's Collection, vol. i. p. 219.
[n] Stedman.—Andrews.

their

CHAP. XXI. 1772.

their conſent; and requeſting information, whether he had received advice on the ſubject? Hutchinſon anſwered, it was not proper for him to lay before any town meeting his correſpondence as governor, or to acquaint them whether he had or had not received advices relating to the public affairs of government. His anſwer was deemed unſatisfactory, and a committee appointed to requeſt him to convene the aſſembly, which he declined, aſſigning his reaſon. They then reſolved to petition the king for redreſs of grievances, and eſtabliſhed a committee to correſpond with other provinces.

Correſponding committees appointed.

Obſervations on them.

THE baleful effects of theſe committees had been already experienced in the colonies: their eſtabliſhment in America is attributed to Franklin [o], and is aptly termed, "the fouleſt, ſubtileſt, and moſt venomous ſerpent that ever iſſued from the eggs of ſedition [p]." The committees were generally choſen at town meetings, and compoſed of the moſt fiery and uncontroulable ſpirits of oppoſition; they had an opportunity, under the apparent ſanction of their towns, of clandeſtinely wreaking revenge on obnoxious perſons, by traducing and repreſenting them as enemies to the country; many individuals of principle and property, while travelling, found themſelves inſulted and reviled by men whom they had never ſeen, and for whoſe malevolence they were at a loſs to divine a mo-

[o] The *invention* is far more ancient; correſponding committees were eſtabliſhed among the republicans and ſecretaries in the time of Charles I. They were probably revived in America at the ſuggeſtion of Franklin.

[p] An American writer, exulting in the effect already produced by theſe committees, and auguring the purpoſes to which they might be converted in other countries, expreſſes himſelf in theſe terms: "If we recollect how many ſtates have loſt their liberties, merely from want of communication with each other, and union among themſelves, we ſhall think that the *committees of correſpondence may be intended by Providence to accompliſh great events.* What the eloquence and talents of Demoſthenes could not effect among the ſtates of Greece, might have been effected by ſo ſimple a device. Caſtile, Aragon, Valencia, Majorca, &c. all complained of oppreſſion under Charles the Fifth, flew out into tranſports of rage, and took arms againſt him; but they never conſulted or communicated with each other. They reſiſted ſeparately, and were ſeparately ſubdued. Had Don Juan Padilla, or his wife, been poſſeſſed of the genius to invent a committee of correſpondence, perhaps the liberties of the Spaniſh nation might have remained to this hour." See Almon's Remembrancer, vol. i. p. 33.

tive.

CHAP. XXI. 1772.

tive. Thus was ſedition propagated, and miſrepreſentation, both of individuals and of public meaſures, rendered current through all parts of this vaſt continent: by theſe means did the ſame clamours ariſe in ſo many parts of the colonies at the ſame moment, that to thoſe who ſuppoſed the proceeding ſpontaneous, it appeared almoſt miraculous [q].

2d Nov. The committee frame a declaration of rights.

FROM the committee at Boſton originated a report, containing a new declaration of rights, more extenſive than any hitherto framed; the authority of parliament to legiſlate for the colonies, in any reſpect, was explicitly denied; the rights of the coloniſts, and the violations of them, were enumerated; the declaratory act of 1766 was particularly complained of; by this, they ſaid, the Britiſh parliament aſſumed the power of legiſlating for them without their conſent, and, under pretence of that authority, impoſed taxes in the colonies, and appointed new officers to be reſident amongſt them, unknown to their conſtitution, becauſe unauthorized by their charter. The Britiſh miniſtry, by framing the new regulation for granting ſalaries to the judges and crown officers out of this odious tribute, were charged with deſigning to complete the ſyſtem of ſlavery commenced in the houſe of commons.

Addreſs to the people.

THIS report being approved at an adjourned meeting of the inhabitants, ſix hundred copies were printed, and diſperſed through all the towns of the province, with an addreſs to the people, exhorting them, in the common cant uſed for purpoſes of faction; "By the regard they owed to the riſing generation, not to *doze, or ſit ſupinely indifferent, on the brink of deſtruction*, while the *iron hand of oppreſſion* was daily *tearing the choiceſt fruits from the fair tree of liberty*, planted by their worthy predeceſſors at the expence of their treaſure, and *abundantly watered by their blood* [r]."

[q] Maſſachuſſetenſis, Letter iv.

[r] Stedman, vol. i. p. 62, Almon's Collection, &c.

As

CHAP. XXI.

1773.

6th Jan. Meeting of the legiſlature.

As theſe general ſpeculations had been ſo unſparingly promulgated, and with ſome appearance of authoritative ſanction, Mr. Hutchinſon thought proper, at the opening of the general court, to afford the legiſlature an opportunity of diſavowing any concurrence in ſuch dangerous ſentiments, and therefore took occaſion to inſiſt on the ſupreme legiſlative authority of parliament. The aſſembly, however, were not diſpoſed to recede as a body from the pretenſions which, as individuals, they had laboured to maintain: in their addreſs they denied the competency of parliament, not only to levy taxes, but to legiſlate for them in any reſpect; and they added, "If, in any late inſtances, there had been a ſubmiſſion to acts of parliament, it had been, in their opinion, rather from inconſideration, or reluctance to contend with the parent ſtate, than from a conviction or acknowledgment of the ſupreme legiſlative authority of parliament[a]."

They deny the legiſlative authority of parliament.

Meſſages reſpecting the ſalaries of judges. 23d Jan.

THE grand popular topic was not long permitted to remain quieſcent: the houſe of repreſentatives voted ſalaries to the judges, as a compenſation for their ſervices for one year, ending the firſt of January. The governor delaying to ſanction this vote, was requeſted to make known his difficulty, and acquainted that the people were univerſally alarmed with the report of ſalaries being fixed to the

9d Feb.

[a] Such was the improper tendency of this addreſs, that the aſſembly themſelves thought proper, in a letter to the earl of Dartmouth, ſecretary of ſtate for American affairs, dated 29th June 1773, to retract and apologize for the expreſſions they had uſed. Even this was not done without ſome chicane and hypocriſy; they accuſed the governor of having unneceſſarily brought the ſubject of parliamentary authority under conſideration, and that by his ſpeech at the opening of the ſeſſion. Mr. Hutchinſon called on the two houſes in ſuch a preſſing manner, as amounted to little ſhort of a challenge to anſwer him. Into ſuch a dilemma were they brought by the ſpeech, they ſay, that they were under a neceſſity of giving ſuch anſwers as they did, or having their conduct conſtrued into an acquieſcence in the doctrines it contained, which would have been an implicit acknowledgment that the province was in a ſtate of ſubjection, differing very little from ſlavery. The anſwers were the effect of neceſſity, and this neceſſity occaſioned great grief to the two houſes. "The people of this province, my lord," they continued, "are true and faithful ſubjects of his majeſty, and think themſelves happy in their connexion with Great Britain." Stedman and Almon.

offices

offices of the juſtices by order of the crown. His excellency avowed his information that the king had directed ſalaries; but had received no intelligence of warrants being iſſued for payment; he had therefore delayed giving his immediate aſſent to the grants, leſt when the warrants from the crown ſhould be tranſmitted, they might include ſums due for part of the time for which the aſſembly had provided. CHAP. XXI. 1773. 4th Feb.

A DEPUTATION was, in conſequence of this meſſage, inſtructed to wait on the governor, and repreſent, that "no judge, who had a due regard to juſtice, or even to his own character, would chuſe to be placed under an undue bias, by accepting of, and becoming dependent on the crown for his ſalary." The meaſure was imputed to the king's being miſinformed reſpecting their conſtitution, and the governor's reaſons for delay were treated with great diſregard. "When we conſider," they ſaid, "the many attempts that have been made, to render null and void thoſe clauſes in our charter, upon which the freedom of our conſtitution depends, we ſhould be loſt to all public feeling, did we not manifeſt a juſt reſentment. We are more and more convinced, that it has been the deſign of adminiſtration totally to ſubvert the conſtitution, and introduce an arbitrary government in this province, and we cannot wonder that the apprehenſions of this people are thoroughly awakened." In concluſion, they expreſſed a hope that the judges would refuſe to accept of ſupport in a manner ſo juſtly obnoxious to the diſintereſted and judicious part of the community, being repugnant to the charter, and utterly inconſiſtent with their ſafety, rights, liberties, and property. 12th Feb.

THE governor, contrary to the expectations of the demagogues, at length gave his conſent to the vote; but as the queſtion would now remain at reſt for a longer period than ſuited the views of the popular faction, they adopted an unprecedented meaſure for the purpoſe of inſtantly reviving it, by voting ſimilar grants Hutchinſon aſſents to the act of the aſſembly. Further grants voted. Which the governor re-

CHAP. XXI.

for the year enſuing. The governor refuſed to confirm this proceeding; he alleged, that as there was no inſtance, ſince the charter, of an allowance made to judges for ſervices not actually performed, and as thoſe grants were proſpective, and paſſed in ſo ſhort a time after the information he had given the houſe, his aſſent would appear to counteract the king's intentions.

1773. Refuſes to ſanction.

Activity of the committees of correſpondence.

THE year 1773 produced abundant cauſes of diſcontent in New England; the diſpute reſpecting the judges was never relinquiſhed; and the committees of correſpondence were actively employed in diſſeminating ſedition. In conſequence of the outrage committed on board the Gaſpee, a court of inquiry was inſtituted at Rode Iſland, with powers, conformably to a late act of parliament, to ſend the offenders to England for trial. A ſub-committee of correſpondence was formed by the people of Boſton, to inquire by what authority the court of inquiry held its ſittings; the aſſembly of Virginia, and ſeveral other legiſlative bodies, adopted the correſponding ſcheme, and the whole continent was thus prepared for the inſtantaneous reception of an uniform impulſe.

Publication of the letters of Hutchinſon and Bernard.

THE hatred of the people of Maſſachuſet's Bay to their governor, and to the Britiſh government, received at this time new force from a treacherous and unwarrantable act, committed by Dr. Franklin their agent. The appointment of this perſon, at a critical period, has already been mentioned: his continuance in his appointment was owing to the influence of the oppoſition party in the aſſembly, who, contrary to the practice and forms of the colonial conſtitution, which required the concurrence of the three branches of the legiſlature in the nomination, continued him although the council had appointed another perſon to officiate for them. Dr. Franklin's information was however, highly prized by his adherents: his delineations of the diſpoſition of the king, the miniſtry, the parliament, and the nation, were deemed moſt authentic.

thentic. He adviſed the coloniſts to perſevere in diſtreſſing government by reiterated reſolutions, and to cheriſh a military ſpirit; and aſſured his conſtituents, that, if firm, they had nothing to fear from the people of England. He ſuggeſted modes of reſiſtance to government, and the popular meaſures were generally introduced to the houſe by letters from him. The rancorous oppoſition which was diſplayed during the governments of Bernard and Hutchinſon, was attributed to the miſrepreſentations of party agents. Sir Francis Bernard was a man of acknowledged abilities, and the utmoſt integrity; he came to the government of Maſſachuſet's Bay, recommended by the affections of the people of New Jerſey, over whom he had before preſided. Mr. Hutchinſon's character in private life was amiable and exemplary; his abilities, humanity, and honour, were well known to the province, from his conduct in various important departments, particularly that of chief juſtice; and he was endowed with a thorough knowledge of the intereſts, connexions, and affairs of his government[c]. As a friend to the conſtitution eſtabliſhed by charter, he oppoſed the innovations of the republicans, and his confidential communications with the miniſtry of Great Britain expreſſed, with freedom, his ſentiments reſpecting the origin, continuance, and means of preventing thoſe diſturbances which agitated the colony.

Their characters.

By means which have never been aſcertained, Dr. Franklin became poſſeſſed of ſome of theſe letters; the mode of obtaining them could not be honourable, and the uſe to which he converted them was highly flagitious; he tranſmitted them immediately to the houſe of repreſentatives, where they gave birth to the moſt violent proceedings. A committee waited on the governor, and, refuſing to truſt the letters from their own cuſtody, inquired whether he acknowledged

Proceedings of the aſſembly.

[c] Maſſachuſettenſis, Letter iii.

CHAP. XXI. 1773.

his ſignature. Having received an explicit avowal, the aſſembly prepared a petition and remonſtrance to the king, charging the governor with betraying his truſt, and ſlandering the people, by giving private, partial, and falſe information; he was declared an enemy to the colony; and they prayed for his removal, and that of Mr. Oliver, the lieutenant-governor.

Obſervations on the letters.

THESE letters have been much deſcanted on, and produced in vindication of proceedings which they are not calculated to juſtify: in the ſituation in which the governor was placed, viewing with alarm and apprehenſion the daily inroads made on a conſtitution which he perfectly underſtood, and was commiſſioned to protect, his counſels do not ſeem dictated by a ſpirit of violence, or communicated in terms of undue warmth: they are the effuſions of a thinking mind, occupied in diſcuſſing public affairs of the firſt moment: he did not pretend to diſcloſe private or confidential communications, but, detailed free opinions relative to the politics of government, and the means of ſecuring the dependence of the coloniſts, the termination of which he clearly anticipated. As he wrote with the utmoſt frankneſs, ſome of his expreſſions might be deſcanted on to his diſadvantage; but his letters contained no information unfounded on fact, nor were his reaſonings recommended by any promiſes to unite a party, or to aſſiſt in ſubverting the charter of the colony: he merely pointed out ſuch means as were, in his opinion, calculated to counteract the daily infractions of the conſtitution, which were made under an affected pretence of aſpiring at Engliſh liberty, but were, in fact, moſt frequently founded on appeals to the abſtract and anti-ſocial rights of nature. The letters of Mr. Oliver[u] were of the ſame character, but his counſels were more ſpecific; he recommended the removal of the principal incendiaries, the eſtabliſh-

[u] The letters at large have been frequently publiſhed; and the reader may form a candid judgment from a peruſal of the whole; a few phraſes maliciouſly ſelected and falſified by typographical artifice, can only lead to miſapprehenſions and fallacious concluſions.

ment

CHAP. XXI. 1773.

ment of a patrician order, and ſeveral other meaſures; but his advice was no more than a confidential diſcloſure of his own particular opinions, and not combined with any propoſition for giving effect to meaſures which might reſult from it.

Their effect in America.

In the ſtate of mind which prevailed in America, a temperate view of theſe letters could not be expected; paſſion, intereſt, and faction, combined in the efforts to render the writers univerſally odious. The committees of correſpondence printed and incloſed in a circular addreſs, the letters of the governor and lieutenant-governor, and the reſolves of the aſſembly: the ferment became general; town meetings were held, and violent reſolutions adopted; one town even declared it was better to riſk their lives and fortunes in defence of their rights, civil and religious, than to die by piece-meal in ſlavery.

Effect of the act for exporting tea.

While the ſpirit of oppoſition was at the utmoſt height, intelligence was received of the act of the Britiſh legiſlature, permitting the Eaſt India company to export tea, free from duty, to all parts of the globe, while it was charged with a duty of three-pence per pound on its arrival in America*. Since the non-importation agreements, the coloniſts had been principally ſupplied with tea ſmuggled from Holland; as the duty taken off in England was one ſhilling per pound, if the introduction was now permitted, its cheapneſs would form an irreſiſtible counteraction to the non-importation covenants, and a duty would be received by England from America, notwithſtanding all the efforts of oppoſition. The preſs again poured forth a torrent of invective, and imputed every ſiniſter deſign to the mother-country; the duty on tea was repreſented as a prelude to various other impoſitions, and the coloniſts were taught to expect a window-tax, a hearth-tax, a land-tax, and a poll-tax, as immediate and inevitable conſequences.

* See Macpherſon's Annals of Commerce, vol. iii. p. 545.

CHAP. XXI.

1773. Several of the provinces, influenced by these representations, compelled the consignees of tea to renounce their agency, and entered into strenuous resolutions against purchasing or permitting it to be landed.

Proceedings at Boston. In Boston the same attempts were made; but the consignees, instead of yielding to the commands of the populace, implored protection of the governor, who immediately convened the council, and submitted the petition to their consideration. The council declined giving advice; the mob surrounded the houses of the consignees, and on their still refusing to renounce their employ, broke their doors and windows, and compelled them to take refuge in Castle William; the governor's proclamation for suppressing this riot was contemned and derided, and the sheriff insulted while attempting to read it.

19th Nov.

Arrival of a ship. The most violent opposition to the landing of tea being now expected, the first ship which arrived was detained below Castle William. An assembly of the people was convoked at the Old South meeting-house, called a body-meeting: this convention differed from a town-meeting, by being open to all persons, without inquiry as to qualification. It consisted of several thousands, collected, not only in Boston, but from all the circumjacent towns: the owner of the tea ship was summoned before them, and required to bring his vessel to the wharf; his compliance, as they knew, compelled him to enter his cargo at the custom-house, and he accordingly reported his tea, after which twenty days were allowed to land it, and pay the duty.

Body-meeting.

The body-meeting having thus succeeded in creating a difficulty, passed a resolution, that the tea should not be landed, nor the duty paid, but return in the same bottoms in which it was brought. This was placing the captain in an inextricable dilemma; for as the ship had been compelled to come to the wharf, and was entered at the custom-house, it could not be cleared out without the previous payment of the duties,

duties, nor could the governor grant a permit for the veſſel to paſs Caſtle William, without a certificate from the cuſtom-houſe. CHAP. XXI. 1774.

THE body-meeting then appointed a military guard, to watch the ſhip every night till further orders. The conſignees having been compelled to ſeek refuge from the fury of the populace, the council had declined interfering, and the governor perſevered in that line which the law marked out as his duty: his inflexibility in this point was oppoſed by an equal obſtinacy on the part of the town's people, who rejected, with diſdain, the offer of the conſignees to land the tea, and ſtore it under the care of the ſelect men, or a committee of the town, till they could receive further orders from England.

Two more ſhips were now arrived, when the military guard was unexpectedly withdrawn, or the renewal omitted. A numerous mob, in the diſguiſe of Mohawk Indians, ſuddenly ſallied forth, boarded the ſhips, ſplit open the cheſts, and committed the cargoes of tea to the waves. Tea thrown into the ſea.

MEASURES were adopted in other provinces to prevent the landing; ſome ſhips were compelled to return without coming to anchor, and ſeveral cargoes were deſtroyed; but in no other place was ſuch a ſyſtematic and overbearing ſpirit of oppoſition manifeſted as in Boſton[w]. Proceedings in other provinces.

THE aſſembly were too much animated with the popularity of the late proceedings to omit any opportunity of renewing perſonal conteſts with the governor. In the laſt ſeſſion they declared, that judges, who received ſalaries from the crown inſtead of the people, would no longer enjoy the public confidence and eſteem, and it would be the indiſpenſable duty of the province to impeach them before the governor and council. Not intimidated by theſe threats, the judges refuſed to accept more than half of the ſums granted by the houſe of repreſentatives, who, in this ſeſſion, put 24th Feb. 1774. Impeachment of the chief juſtice.

[w] Stedman—Andrews—Maſſachuſſetenſis, Letter iv.

CHAP. XXI. 1774.

their menace in execution, by voting articles of impeachment againſt Peter Oliver, eſq. chief juſtice of the ſuperior court of judicature, charging him with a deſign to ſubvert the conſtitution of the province, and to introduce into the court over which he preſided a partial, arbitrary, and corrupt adminiſtration of juſtice, in conſequence of which he had declined receiving grants of the general aſſembly, but accepted an annual ſtipend from his majeſty's miniſters.

His letter.

In a letter addreſſed to the houſe, the magiſtrate remonſtrated, that during the ſeventeen years he had been in office, he was unconſcious of any violation of the laws in his judicial capacity; he had ſuſtained by privation of buſineſs, and the inſufficiency of his ſtipends, a loſs exceeding three thouſand pounds ſterling; he had not ſolicited a ſalary from the king, but when it was offered, duty and gratitude to the beſt of ſovereigns induced him to accept the munificent donation. This appeal was inſufficient to diſarm the fury of the aſſembly; the impeachment was voted by a large majority[x]; but the governor diſclaiming any authority to try and determine high crimes and miſdemeanors, refuſed to receive it. The repreſentatives, however, perſevering in their attempt, and renewing the impeachment in another form, Hutchinſon diſſolved the aſſembly.

30th Mar. Aſſembly diſſolved.

His ſpeech was couched in terms of ſevere reprehenſion: he ſaid, "As ſome of your votes, reſolves, and other proceedings, which you have ſuffered to be made public, ſtrike directly at the honour and authority of the king and parliament, I may not neglect bearing public teſtimony againſt them, and making uſe of the power veſted in me by the conſtitution, to prevent your further proceeding in the ſame way."

[x] 92 to 8.

## CHAPTER THE TWENTY-SECOND;

### 1774.

*Meeting of parliament.—King's ſpeech.—Peace eſtabliſhment.—Mr. Woodfall and Mr. Horne brought before the houſe of commons for a libel—and diſcharged.—Act for trying the merits of controverted elections made perpetual.—Petition from Maſſachuſet's Bay heard before the privy-council.—Dr. Franklin diſmiſſed from the Poſt-office.—American papers laid before parliament.—The king's meſſage.—Bill for ſhutting Boſton port.—Its progreſs through the houſe of commons.—Petition from the Americans reſident in London.—Oppoſition in the houſe of lords.—Bill for regulating the government of Maſſachuſet's Bay.—Proceedings in the houſe of commons.—Proteſt in the upper houſe.—Bill for the impartial adminiſtration of juſtice in America.—Oppoſition in the lower houſe.—Debates and proteſt in the lords.—Second petition from the Americans in London.—Motion for repealing the duty on tea.—Mr. Burke's famous ſpeech.—Lord Chatham's ſpeech on American affairs.—Bill for the government of Canada.—View of the bill—And of the oppoſition, and defence in both houſes.—Petition from the Penn family—And from the Canada merchants.—Evidence examined.—Petition to the king.—Miſcellaneous acts of the legiſlature.—Cloſe of the ſeſſion.—King's ſpeech.*

CHAP. XXII.

THE extent of American diſturbances was not fully known when the Britiſh parliament aſſembled. The king, in his ſpeech, reviewed the ſtate of the continent, and anticipated a long duration of peace; he recommended attention to internal and domeſtic improvement, and mentioned the deteriorated ſtate of the gold coin, as an object claiming peculiar exertions. The addreſs was carried in both houſes without diviſion or debate.

13th Jan. 1774. Meeting of parliament. King's ſpeech.

THE early part of the ſeſſion was employed in fixing the number of ſeamen and ſoldiers on the peace eſtabliſhment; on Mr. Sawbridge's annual motion for ſhortening the duration of parliament; and on Sir George

Peace eſtabliſhment.

CHAP. XXII.

1774.

George Savile's ſimilar effort to procure a bill for ſecuring the rights of electors, and for declaring the proceedings relative to the Middleſex election illegal; both which were rejected.

Some attention was alſo excited by the proceeding againſt Henry Sampſon Woodfall, printer of the Public Advertiſer, and the Rev. John Horne, for a libel on the ſpeaker of the houſe of commons, charging him with injuſtice and partiality. Sir Fletcher Norton complained to the houſe, and having obtained the teſtimony of alderman Sawbridge, who knew the progreſs of the affair, in favour of his rectitude, declared himſelf ſatisfied, and expreſſed contempt of the imputations of faction.

21ſt Feb. Woodfall and Horne brought before the houſe of commons.

Mr. Herbert, conceiving the dignity of parliament degraded, if a matter of ſuch importance paſſed with impunity, moved for bringing the printer before the houſe. Sir Joſeph Mawbey thought the intention of the libeller was to injure the liberty of the preſs, and create a variance between the king and the city, and therefore wiſhed the houſe to abſtain from noticing the libel, and referred the ſpeaker to the courts of law for redreſs. Mr. Fox, agreeing with Sir Joſeph reſpecting the views of the writer, differed in his concluſions. The letter was full of ſuch flagrant falſehoods, that no man of ſenſe could place belief in it; but, was any member, much leſs the ſpeaker, to be ſo groſsly libelled, and obliged to deſcend to a law-ſuit? No! he hoped they would always maintain their prerogative, and protect themſelves; it would be no leſs abſurd, he ſaid, for them to appeal to an inferior court, than for the court of king's bench to apply for protection to the court of common pleas. The conſequences ariſing from the motion were dreaded, becauſe the lenity formerly ſhewn had led printers to conceive themſelves entitled to libel any member, and if ſuffered to proceed, they would next claim, as a privilege, the right of libelling whom they pleaſed. After a debate of ſome length, in which a reſiſtance to the

R.t HON.ble GEORGE GRENVILLE

First Lord Commissioner of the Treasury.

*From an Original Picture in the possession of the*

Marquis of Buckingham.

*Published May 1 1810 by Cadell & Davies Strand.*

the order of the houſe, by ſome alderman, ambitious of popularity, was anticipated, and the futility of the claim of the city to obſtruct the execution of the ſpeaker's warrant, fully eſtabliſhed, the paper was unanimouſly voted a libel, and the printer ordered to attend. CHAP. XXII. 1774.

MR. WOODFALL obeyed without heſitation, and, on his interrogatory, declared the Rev. John Horne author of the obnoxious paper. A ſtrenuous debate enſued, in which lord North propoſed committing the printer to the Gatehouſe, and Mr. Fox recommended Newgate; but he was ordered to be taken into cuſtody by the ſerjeant at arms. After ſome demurs relative to the ſummons, Mr. Horne was brought before the houſe. He extricated himſelf from the accuſation with great dexterity; having attempted to remove the imputation of contumacy, he inquired whether Mr. Woodfall's declarations were to be taken as evidence, or as the charge againſt him: after ſome heſitation, he was told, they conſtituted the charge, and pleaded, as in any other court, *not guilty*. The houſe was embarraſſed: Mr. Woodfall was again called, and confronted with Mr. Horne; but as he was implicated in the guilt of the publication, his teſtimony was deemed inſufficient to warrant conviction. Three of Mr. Woodfall's journeymen afterwards attended; they failed, however, in proving the accuſation, and Mr. Horne was diſcharged. 14th Feb. 17th. 18th Feb. And diſcharged.

SIR EDWARD STANLEY, anticipating a general election, moved for leave to bring in a bill, to render perpetual the law, introduced under the auſpices of the late George Grenville, for trying controverted elections by committees. The motion produced an animated debate, in which the queſtion was not treated as an affair of party, but diſcuſſed freely on the merits. The principal objections againſt rendering the act perpetual were, the approach of a general election, which would afford opportunities of making more decided experiments of its benefits; and the impropriety of the houſe 25th Feb. Grenville act made perpetual.

CHAP. XXII. 1774.

houſe ſurrendering its own privileges. In anſwer to the firſt, it was ſtated, that five inſtances had already occurred, and not one trial had been improperly decided. Mr. Dunning humourouſly apologized for ſupporting the motion. "No perſon," he ſaid, "had a juſter right to reſiſt the bill than himſelf, it had done him great injury; for, ſince the act, not one trial had come into Weſtminſter-hall: and he was confident, were it made perpetual, there never would be one." In anſwer to the argument againſt the reſignation of privileges, the improper means uſed to influence members in former times were detailed by lord George Germaine. "The parties uſed," he ſaid, "to apply to one ſet of the houſe to be their managers, another ſet to give their attendance and intereſt; to a third ſet, with whom they were intimate, they would apply for their vote; and, to the lazy part of the houſe, they would ſay, We won't trouble you to attend the dry examination of witneſſes; only let us know where you will be, and when the queſtion is going to be put, we'll ſend you a card." The motion was at length carried [a], and the bill paſſed [b].

[a] 250 to 122.

[b] The merits of this celebrated law are thus elegantly deſcribed by Dr. Johnſon: "The new mode of trying elections, if it be found effectual, will diffuſe its conſequences further than ſeems yet to be foreſeen. It is, I believe, generally conſidered as advantageous only to thoſe who claim ſeats in parliament: but, if to chuſe repreſentatives be one of the moſt valuable rights of Engliſhmen, every voter muſt conſider that law as adding to his happineſs which makes his ſuffrage efficacious; ſince it was in vain to chuſe while the election could be controuled by any other power. With what imperious contempt of ancient rights, and what audacioufneſs of arbitrary authority, former parliaments have judged the diſputes about elections, it is not neceſſary to relate. The claim of a candidate, and the right of electors, are ſaid ſcarcely to have been, even in appearance, referred to conſcience; but to have been decided by party, by paſſion, by prejudice, or by frolic. To have friends in the borough was of little uſe to him who wanted friends in the houſe; a pretence was eaſily found to evade a majority, and the ſeat was at laſt his, that was choſen not by his electors, but his fellow ſenators. Thus the nation was inſulted with a mock election, and the parliament was filled with ſpurious repreſentatives; one of the moſt important claims, that of a right to ſit in the ſupreme council of the kingdom, was debated in jeſt, and no man could be confident of ſucceſs from the juſtice of his cauſe. A diſputed election is now tried with the ſame ſcrupulouſneſs and ſolemnity as any other title. The candidate that has deſerved well of his neighbours may now be certain of enjoying the effect of their approbation: and the elector who has voted honeſtly for known merit may be certain that he has not voted in vain." See The Patriot, Johnſon's Works.

THE

CHAP. XXII.

1774.

THE miniſtry having now received full intelligence of the late tranſactions in America, were preparing to ſubmit to parliament meaſures of correction and prevention. The petition from the legiſlature of Maſſachuſet's Bay was heard before the privy-council; Dr. Franklin, as agent for the houſe of repreſentatives, was examined as a witneſs, and fully avowed his own flagitious conduct in obtaining and publiſhing the letters which had excited ſo much rancour. Mr. Wedderburne, who attended as counſel for the governor, delivered an animated and eloquent oration againſt the conduct of Dr. Franklin; the petition was declared groundleſs, vexatious and ſcandalous, and Dr. Franklin deprived of his office of deputy poſt-maſter general for the colonies [c].

Petition from Maſſachuſet's Bay heard before the privy council. 29th Jan.

Franklin is deprived of his office.

THE information from America excited conſiderable alarm and eagerneſs in the public; when lord North, having previouſly intimated his intentions, ſubmitted to parliament the papers relative to the deſtruction of tea. They were introduced by a meſſage from the throne, ſtating that unwarrantable and outrageous proceedings, obſtructing the national commerce, and ſub-

American papers laid before parliament. 17th Mar. 7th. King's meſſage.

[c] Dr. Franklin himſelf ſpeaks of theſe tranſactions in the following terms: "This petition was heard before a committee of the lords of the privy-council, where an illiberal lawyer was hired and permitted to abuſe the petitioners, and their agent, in the groſſeſt terms ſcurrility could invent; and the lords reported, that the petition was groundleſs, vexatious, and ſcandalous, and calculated only for the ſeditious purpoſes of keeping up a ſpirit of clamour and diſcontent in the province. That nothing had been laid before them which did, or could in their opinion, in any manner, or in any degree, impeach the honour, integrity, or conduct, of the governor or lieutenant-governor." Before this diſcuſſion in the privy council, Dr. Franklin, in conſequence of a duel between Mr. Whately a banker, brother of the late ſecretary to the treaſury, and Mr. Temple, lieutenant-governor of New Hampſhire, avowed himſelf alone to be the perſon who obtained the letters, and tranſmitted them to Boſton. See Annual Regiſter, 1773, p. 152. After the deciſion of the privy-council, the effigies of Mr. Wedderburne and governor Hutchinſon were, by the populace of Boſton, placed in a cart, with rancorous and ſcurrilous libels, and after being expoſed ſeveral hours, hung and burned. I was in hopes of obtaining an authentic minute of Mr. Wedderburne's celebrated ſpeech, of which, I am aſſured, no correct outline has yet been given to the public; but am diſappointed; all I have been able to learn is, that the eloquent and indignant advocate applied to Franklin the lines from Juvenal,

"* * * * Sed quo cecidit ſub crimine? Quiſnam,
"Delator? Quibus indiciis? Quo teſte probabit?
"*Nil horum. Verboſa et grandis epiſtola venit.*"

"It would be an eternal ſtigma," he added, "on the name of Franklin, to call him a man of letters."

verſive

CHAP. XXII. 1774.

verſive of the conſtitution, having been adopted in North America, and particularly at Boſton, the king thought fit to lay the whole matter before parliament; confiding in their zeal for his authority, and attachment to the welfare of all his dominions, for effectual powers to put an immediate ſtop to thoſe diſorders; and for further regulations, and permanent proviſions, for better ſecuring the execution of the laws, and the juſt dependence of the colonies on the crown and parliament of Great Britain. Loyal addreſſes were unanimouſly returned.

11th.

On the documents preſented to parliament, which exceeded one hundred, and conſiſted of copies and extracts of letters from the different magiſtrates and officers in America, the votes and reſolutions of the inhabitants of Boſton, and other intereſting communications, Lord North founded a motion for a bill to remove the revenue officers from Boſton, and to diſcontinue the landing and ſhipping of merchandize at the town or within the harbour.

Bill for ſhutting Boſton port.

In recommending this meaſure, the miniſter aſſerted, that the preſent diſorders were entirely occaſioned by the inhabitants of Boſton: our commerce could not be ſecure while it remained in that harbour, where the officers of the cuſtoms had been thrice prevented from doing their duty; and ſtated the neceſſity of finding ſome other port, where the laws could afford full protection. Anticipating an objection that, in a meaſure ſo general, ſome innocent perſons would ſuffer with the guilty; he ſaid, where the authority of a town had been, as it were, aſleep and inactive, it was no new thing for the whole town to be fined: he inſtanced the city of London, in the reign of Charles II. when Dr. Lamb was killed by unknown perſons; the caſe of Edinburgh, in captain Porteus's affair; and Glaſgow, where the houſe of Mr. Campbell was pulled down, and part of the revenue of that town was ſequeſtered for the purpoſe of indemnity. Boſton, he obſerved, did not ſtand in ſo fair a light as either of

Lord North's ſpeech.

theſe places, for it had been upward of ſeven years in riot and confuſion. He then detailed the proceeding with reſpect to the tea ſhips, and denounced it as a moſt violent outrage, by people who could not, in any ſhape, claim more than the natural privilege of trading with their fellow ſubjects. The violence of Boſton had influenced the reſt of the continent; Boſton was alone to blame, and ſhould alone be the object of puniſhment. A clauſe in the bill would prevent the crown from re-eſtabliſhing the harbour, till full ſatisfaction was made to the Eaſt India company for the loſs of their tea; and this not as a tax, but by requiſition. He ſhould be happy that the promoters of the diſturbances were diſcovered, and compelled to make reparation; but as they were unknown in England, Boſton would, no doubt, endeavour to diſcover them, or paſs acts of their own aſſembly to levy the money in the moſt equitable manner. He always regretted the neceſſity of puniſhment, and therefore hoped for that unanimity which would give ſtrength to the meaſure. He truſted all would agree with him, peers, members, and merchants, and unanimouſly animadvert upon ſuch parts of America as denied the authority of this country. We muſt puniſh, controul, or yield to them.

Some ſlight oppoſition was made, principally by Mr. Dowdeſwell, who inquired for evidence of general concurrence in the inhabitants of Boſton; he ſaid, the examples of puniſhment which had been mentioned were not ſimilar to the preſent caſe; the obligation on the counties to compenſate for loſſes between ſun and ſun was an ancient regulation not enacted for a particular purpoſe; but this would be an *ex poſt facto* law. The caſe of a corporation was alſo different; they choſe their own officers, while the magiſtrates of Boſton were elected by the province at large. Would the houſe condemn without evidence, in the abſence of the parties? The motion was, however, ſupported by

Oppoſed by Mr. Dowdeſwell.

CHAP. XXII.

by ſome oppoſition members, and carried without a diviſion.

1774. 18th and 21ſt Mar. 25th. Petition of Americans in London.

THE bill was twice read, and committed without oppoſition: but, in the committee, the lord mayor, Mr. Bull, preſented a petition from ſeveral natives of North America reſident in London. They claimed, as an inviolable rule of natural juſtice, that no man ſhould be condemned without being called upon to anſwer, to hear evidence, and make a defence. But under the intended bill, no individual or corporate body in America could enjoy ſecurity; for ſhould judgment immediately follow an accuſation, ſupported even by perſons notoriouſly at enmity with them, the accuſed, unacquainted with the charge, and from the nature of their ſituation incapable of defending themſelves, every fence would be pulled down, juſtice no longer be their ſhield, nor innocence an exemption from puniſhment. The petitioners hardily aſſerted that juſtice was executed by law with as much impartiality in America as in any other part of his majeſty's dominions; diſtinguiſhed between the caſe of Boſton and thoſe of London and Edinburgh, mentioned in lord North's ſpeech: and attempted to fix the blame of the tumults on the governor, who had omitted to reſtrain them by means of the executive force. They declared a proceeding of ſuch exceſſive rigour and injuſtice would ſink deep in the minds of their countrymen, and tend to alienate their affections. The attachment of America, they ſaid, cannot ſurvive the juſtice of Great Britain, and if the Americans ſee a new mode of trial eſtabliſhed for them, which violates the ſacred principles of natural juſtice, it may be productive of national diſtruſt, and extinguiſh thoſe filial feelings of reſpect and affection which have hitherto attached them to the parent ſtate.

Amendment moved.

AFTER the reading of this petition, Mr. Roſe Fuller moved an amendment, mitigating the rigour of the original propoſal into a fine. The Boſtonians, he ſaid,

would refuſe to remit money to pay their debts; and numerous confederacies would be created; the bill could not be carried into execution without a military force: if a ſmall number of men were employed, the Boſton militia would cut them to pieces; and if a large number, the Americans would ſeduce them. CHAP. XXII. 1774

Oppoſed by lord North.

THE propoſition of a fine was oppoſed as tending to increaſe the difficulty, and lord North ſaid, though he was no enemy to lenient proceedings, he found reſolutions of cenſure and warning unavailing, and coercive meaſures neceſſary. "Now is the time," he ſaid, "to perſiſt, to defy them, to proceed with reſolution, and without fear. This bill ſhould convince all America of our firmneſs and vigour; but that conviction would be loſt did they perceive in our councils heſitation and doubt." In anſwer to the ſuggeſtion that the Americans would withhold the payment of their debts to Britiſh merchants, he ſaid, they uſed ſimilar threats unleſs the ſtamp act were repealed; but, although they obtained that point, they did not pay their debts, and he believed their conduct would be the ſame on this occaſion. If parliament were to be influenced by ſuch threats, all remedies would become nugatory, and the propoſed fine could be as effectually reſiſted as the operation of the bill. He denied that a military force would be neceſſary to enforce the act, as four or five frigates would ſuffice; but were it neceſſary, he ſhould not heſitate to compel due ſubmiſſion to the laws. "If their diſobedience to this act," he continued, "is to produce rebellion, that conſequence belongs to them, not to us; they alone occaſioned it; we are only reſponſible for the equity of our meaſures; firmneſs, juſtice, and reſolution, alone can ſecure obedience and reſpect to the laws, and ſecurity to trade."

THE debate was maintained with conſiderable ability, and at much length; the principal ſpeakers in favour of lord North's meaſure were, Meſſrs. Gaſcoigne, Montagu, Stanley, Ward, Jenkinſon, and general Conway. On the other ſide were Mr. Byng and Mr. Dempſter.

CHAP. XXII.

1774.

Dempſter. The neceſſity of ſhewing reſentment by puniſhment being, however, generally admitted, and the difference ariſing only as to the mode, the committee adopted the original propoſal without alteration.

Amendment rejected. 25th Mar.

On the third reading, Mr. Fox, for the firſt time, appeared in oppoſition, and particularly cenſured the clauſe which veſted in the crown the power of reſtoring the port. It confided to the king that authority with which parliament was afraid to truſt itſelf. The quarrel was with parliament, and parliament was the proper power to end it. He was anſwered by Mr. Phipps, who ſhewed the propriety of continuing to the throne that which had always been its attribute, mercy; nor could the reſtoration of the port be ſo well veſted in the legiſlature, for parliament might happen not to be ſitting at the moment when the exerciſe of lenity became proper.

Oppoſition on the third reading.

The debate aſſumed, for a moment, a new colour from the intemperance of Mr. Van, who, deſcanting on the flagitiouſneſs of the offence committed by the people of Boſton, ſaid, their town ought to be *knocked about their ears* and deſtroyed. "*Delenda eſt Carthago!*" he exclaimed: "you will never obtain proper obedience to the laws until you have deſtroyed that neſt of locuſts."

This exceſſive vindictiveneſs called up colonel Barré, who earneſtly deprecated ſuch language: he expreſſed approbation of the bill, although he feared it was intended to involve the fatal doctrine of taxation. "I have not a doubt," he ſaid, "but a very ſmall part of our ſtrength will at any time overpower the Americans. I think this bill moderate; but I augur that the next propoſition will be a black one. You have not a loom, nor an anvil, but what is ſtamped with America; it is the main prop of your trade."

The clauſes objected to were acquieſced in without a diviſion, and the ſpeaker put the queſtion for paſſing the bill.

Mr.

CHAP. XXII. 1774.

Mr. Fox then revived his objections, in order, he ſaid, to ſhew on the journals that ſome member had reſiſted thoſe clauſes.

Mr. Dowdeswell oppoſed the whole principle of the bill; cenſured the celerity of paſſing it, which prevented the tendering of petitions from the manufacturers whoſe intereſts it would affect; blamed the ſelection of Boſton for ſignal vengeance, when many other places had been equally culpable, and conſidered the meaſure more likely to injure the merchants of England than the delinquents in America.

Mr. Burke derided the notion of a local remedy for a general diſorder. One town in proſcription, the reſt in rebellion, can never be a remedial meaſure for general diſturbance. "Have you conſidered," he ſaid, "whether you have troops and ſhips ſufficient to enforce an univerſal proſcription to the trade of the whole continent of America? If you have not, the attempt is childiſh, and the operation fruitleſs." He blamed Governor Hutchinſon, for not having recourſe to the aſſiſtance of the military, who, it appeared from the papers on the table, could have quelled the riot, though not without killing many unoffending people; but the fault of the governor ought not to be the means of puniſhment on the innocent. Univerſal diſcontent prevailed throughout America, he ſaid, from an internal bad government. He wiſhed to ſee a new plan of legiſlation in that country, not founded on the laws and ſtatutes of Great Britain, but on the vital principles of Engliſh liberty.

Mr. Burke was anſwered by Mr. Grey Cooper, who expreſſed ſurprize and ſorrow at hearing him upbraid government for not uſing military force. "It has been ſaid," he continued, "that the Americans cannot be heard in their own defence before this meaſure takes effect. Look at the papers on the table, where you ſee the reſolutions of their public meetings, ordered to be tranſmitted for our information."

CHAP. XXII. 1774.

tion." After ſuch a defiance, could they be expected to appear at the bar, and defend themſelves by thoſe laws which they expreſsly refuſed to obey? He compared the mode of puniſhment to the black act, where the whole hundred, although not preſent, is fined for the miſconduct of individuals. The bill was framed for the protection of trade; it was a mild meaſure, and if oppoſed in America, the reſult would make the puniſhment.

ALDERMAN SAWBRIDGE alſo oppoſed the bill, and governor Johnſtone predicted that it would occaſion a general confederacy to reſiſt the power of Great Britain: it would be no more prejudicial and abſurd to prevent the inhabitants of Middleſex from ſowing corn, than to hinder the town of Boſton from reaping profit from their trade and merchandize.

LORD NORTH ably vindicated his meaſures, as founded on juſtice, and the moſt eligible under all circumſtances; he oppoſed the ſuggeſtion that a foreign enemy would take advantage of our conteſt with the colonies, by declaring the time of peace to be the only period for regulation, and the preſent time the criſis when the diſpute ought to be decided.

Bill paſſed.

THE bill paſſed without a diviſion.

Oppoſition in the houſe of lords.

IN the houſe of lords it was actively oppoſed by the earl of Shelburne, who preſented a petition from the natives of America reſident in London, ſimilar to that ſubmitted to the houſe of commons.

LORDS Mansfield, Gower, Lyttleton, Weymouth, and Suffolk, ſupported the bill, which was oppoſed by the dukes of Richmond and Manchester, the marquis of Rockingham, and lords Camden, Shelburne, and Stair. It paſſed the houſe in five days, and no proteſt was entered on the journals[a].

30th Mar. Bill paſſed.

ON

[a] See Hiſtory of lord North's Adminiſtration, p. 136. Soon after the addreſs was voted on the preſentation of the papers, Mr. Bollan, agent for the council of Maſſachuſet's Bay, preſented to the houſe of commons a petition, which was received, and ordered to lie upon the table. During the proceſs of the bill he tendered another petition, in the ſame character, but the houſe refuſed to admit it, alleging that the agent of the council alone was not competent to appear for the whole

CHAP. XXII.

1774.

Bill for regulating the government of Maſſachuſet's Bay. 25th Mar.

On introducing the Boſton port bill, lord North ſaid it was not the only meaſure he intended to propoſe; other parts of more nice diſquiſition would ſtill remain for future conſideration. Accordingly, while the Boſton port bill was yet depending in the lords, he laid before the lower houſe, in a committee, the plan of a law "For better regulating the government of Maſſachuſet's Bay."

Lord North's ſpeech.

He ſaid, the papers would render indiſputable the want of an executive power in that country, and the neceſſity of ſtrengthening the magiſtracy; the force of the civil power conſiſted in the *poſſe comitatus*, and conſidering that *poſſe* as the very people who had committed all the riots, the preſervation of the peace could not be expected from them. The conſtitutional power appeared totally defective. If the democracy ſhewed contempt of the laws, the governor had no authority to appoint a magiſtrate willing to enforce them, nor to remove one who would not act; that power was veſted in the council, whoſe dependence was on the democratic part of the conſtitution. If the governor publiſhed a proclamation, there was hardly found a magiſtrate to obey it; nor could he iſſue any order without the conſent of ſeven of the council; government was in ſo forlorn a ſituation, that no governor could enforce obedience; nor, with ſuch a want of civil authority, could it be ſuppoſed that the military, however numerous, could be ſerviceable. To remedy theſe evils, the miniſter propoſed that the governor ſhould act as a juſtice of peace, with power to appoint civil officers, ſuch as ſheriffs, and provoſt-marſhal, (the chief-juſtice and judges of the ſupreme court excepted,) removeable only by the king, under his ſign

whole corporation. This refuſal was warmly cenſured, as creating an inconſiſtency between the proceedings of the two houſes, and between two proceedings of the ſame houſe; and it was ſaid, as ſimilar reaſons would apply againſt all the American agents, parliament would thus cut off all communication between themſelves and the coloniſts whom their acts moſt immediately affected.

CHAP. XXII. 1774.

manual, and upon good repreſentations made in England. The irregular aſſemblies, or town-meetings held in Boſton, were no longer to be convened without the conſent of the governor, unleſs for the annual election of certain officers, whom it was their province to chooſe; and the nomination of juries required regulation. The miniſter profeſſed himſelf open to diſcuſſion, and inclined to reform his opinions where erroneous; he conceived ſome immediate and permanent remedy neceſſary, and ſubmitted the bill as tending to purge the conſtitution of Maſſachuſet's Bay of all its crudities, and give ſtrength and ſpirit to the civil magiſtracy and executive power.

Lord George Germaine's ſuggeſtions.

AFTER a few unimportant obſervations, and an explanation from lord North, informing the houſe that nothing in the bill was intended to affect the legiſlative power of either the council or aſſembly, lord George Germaine expreſſed a wiſh that the miniſter had made his ſcheme more extenſive. He approved the abolition of town-meetings, and declared it highly improper for men of a mercantile caſt to aſſemble daily for the purpoſe of debating on political matters; they ſhould follow their occupations as merchants, and not conſider themſelves as miniſters of the country. He recommended that the council of Maſſachuſet's Bay ſhould be put in the ſame ſtate with thoſe of other colonies: the formation of juries he particularly expoſed, as replete with abſurdities; the grand juries were choſen for life, with a yearly ſalary: The petty juries were elected annually from each town; thus offenders againſt government were enabled to enſure immunity, at the expence of law and juſtice. Theſe juries, he ſaid, were totally different from thoſe of England, and required great regulation. He wiſhed the council of Maſſachuſet's Bay to be rendered ſimilar to the houſe of lords; and adviſed the adoption of ſuch a ſyſtem as would obviate the neceſſity of aſſerting the rights of parliament by words, while

while the colonies denied their authority, and prevented the execution of their laws.

LORD NORTH complimented lord George Germaine's propoſitions as the offſpring of a great mind, and promiſed to reſerve them for the conſideration of abilities ſuperior to his own; the charter, he ſaid, ought not to form an obſtacle to the regulation of thoſe defects in the colonial conſtitution which prevented the reſtoration of tranquillity.

SOME oppoſition was made by Mr. Phipps, and by Mr. Pownall, who minutely inveſtigated the conſtitution of Maſſachuſet's Bay, where he had been governor, and affirmed the Americans to be a conſcientious, good, religious, peaceable people, not leſs reſpectable than any his majeſty's dominions could produce.

15th April. Debates on the bill.

AFTER the Eaſter receſs, the miniſter preſented his bill to the houſe, conſiderably altered from the original outline: the nomination of the council was veſted in the crown; they were to have no negative voice, nor were the lieutenant-governor and ſecretary to be members, unleſs appointed by the king. The general functions of the council remained almoſt unaltered, except in the nomination of judicial officers. The mode of chooſing juries was reformed according to lord George Germaine's ſuggeſtion; but lord North acknowledged this to be a regulation of peculiar delicacy, which, if the houſe required it, he would make the ſubject of a ſeparate law.

THE principal oppoſition at the introduction of the bill was made by Mr. Dowdeſwell, who ſaid it was calculated to deſtroy the charter of Maſſachuſet's Bay. The Americans had laboured with unwearied induſtry, and flouriſhed nearly four-ſcore years, under that democratic charter; they had increaſed their poſſeſſions, and improved their lands, to an unexpected degree; and England had reaped the benefit of their labour: yet it was intended to abrogate that very charter which had ſo long ſubſiſted to the mutual benefit of

CHAP. XXII. 1774.

England and America. "The charter," he ſaid, "breathes a ſpirit of liberty ſuperior to any thing either of the former or preſent times. It was granted in king William's days, and is more adapted to the ſpirit of a free people than any that can poſſibly be framed by a miniſter in theſe times." Applying the metaphor ſo frequently uſed of a parent and child, he compared the conduct of the mother-country to thoſe perverſe and ſplenetic exertions of authority in parents, by which evil diſpoſitions in their offspring are fermented, and laſting animoſities implanted in the boſoms of both.

GOVERNOR POWNALL deſcribed ſeveral points of American polity, which appeared to be miſunderſtood, or miſrepreſented. The council were elected by the legiſlature, and not by the people at large; the ſelect men were ſimilar to the aldermen in Engliſh corporations. Great inconvenience would ariſe from the ſuſpenſion of the town-meetings, where all municipal buſineſs was tranſacted, till the governor's conſent could be obtained, as the towns were, in many places, three hundred miles diſtant from the capital.

DURING the progreſs of this, and another act, the oppoſition increaſed in ſtrength and reſolution. On
22d April. the ſecond reading, a ſtrenuous debate took place: Sir George Savile warmly deprecated the privation of charters without hearing the parties, or going through a legal courſe of evidence.

HE was anſwered by Mr. Welbore Ellis, who conſidered chartered rights by no means ſo ſacred as never to be altered; the prerogative of granting them veſted in the crown for the good of the people; if the legiſlature found charters, ſo granted, repugnant to public utility, they had a right to make them fit and convenient. The legiſlature would not take away private property without a full recompence; but in public regulation they were entitled to correct, control, or deprive, as might beſt ſuit the public welfare. With reſpect to evidence, he deemed the papers on the table

5 amply

amply ſufficient, as they proved the governor's application to the council for advice, their neglect; the petition of the inhabitants to the council for protection, their contumacious adjournment for ten days, while the governor was unable to act without their opinion, and finally their reſolution, declaring the total inſufficiency of their power. This was evidence competent to ground the bill, which had no further object than to remedy two defects ſtated by themſelves: a form of government incapable of protecting property ought to be altered.

General Conway obſerved, the papers proved nothing, unleſs the allegations of the parties inculpated were heard. The Americans had only acted as every ſubject would act in an arbitrary ſtate, where laws were impoſed againſt their will; he predicted certain misfortune, and probable ruin, from the meaſure before the houſe.

Lord North ſhewed the abſurdity of poſtponing the aſſiſtance to be expected by the ſubject, for a whole twelvemonth, in expectation of hearing at the bar, men who, having diſclaimed all obedience to government, would moſt probably not appear. "The Americans," he ſaid, "have tarred and feathered your ſubjects, plundered your merchants, burnt your ſhips, denied all obedience to your laws and authority; yet ſo clement, and ſo long forbearing has been our conduct, that it is incumbent on us now to take a different courſe. Whatever may be the conſequence, we muſt riſk ſomething; if we do not, all is over."

Mr. Jenkinson, on the ſubject of chartered rights, obſerved, that where the right was a high political regulation, parliament was not bound to hear the parties, but only where private property was concerned. Long-continued oppoſition to authority, refuſal of protection to his majeſty's ſubjects, and diſobedience of the laws, had rendered it neceſſary either to forſake the trade with America, or to afford it due protection.

Governor

CHAP. XXII. 1774.

GOVERNOR POWNALL, declaring that he ſpoke for the laſt time on the ſubject, uttered a moſt extraordinary prediction. He ſaid, "The meaſure you are purſuing *will be reſiſted, not by force, or the effect of arms, but a regular united ſyſtem.* I told this houſe four years ago that the people of America would reſiſt the tax then permitted to remain on them—that they would not oppoſe power to power, but they would become implacable. Have they not been ſo from that time to this very hour? *I tell you now, that they will reſiſt the meaſures now purſued in a more vigorous way. The committees of correſpondence in the different provinces are in conſtant communication—they do not truſt in the conveyance of the poſt-office—they have ſet up a conſtitutional courier, which will ſoon grow up to the ſuperſeding of your poſt-office. As ſoon as intelligence of theſe affairs reaches them, they will judge it neceſſary to communicate with each other. It will be found inconvenient and ineffectual ſo to do by letters—they muſt confer. They will hold a conference—and to what theſe committees, thus met in congreſs, will grow up, I will not ſay.* Should recourſe be had to arms, you will hear of other officers than thoſe appointed by your governor. Then, as in the late civil wars of this country, it will be of little conſequence to diſpute who were the aggreſſors,—that will be merely matter of opinion."

AFTER ſome converſation on the right of taxing America, Sir Richard Sutton cloſed the debate, by inſiſting that in the moſt quiet times the diſpoſition to oppoſe the laws of this country was ſtrongly ingrafted in the Americans, and all their actions conveyed a ſpirit and wiſh for independence. "If you aſk an American," he ſaid, "who is his maſter? he will tell you he has none, nor any governor, but Jeſus Chriſt." The oppoſition to the legiſlature of this country is a determined prepoſſeſſion of the idea of total independence.

ON

CHAP. XXII. 1774. 2d May.

On the third reading, the debate was no leſs ſtrenuouſly maintained. Mr. Dunning, in a long and critical review of the proceedings from the beginning of the ſeſſion, compared the people of Maſſachuſet's Bay to priſoners who had ſurrendered at diſcretion, and denied that any proof was adduced, or even alleged on the face of the bill, which could juſtify the inculpation of treaſon, or warrant the intended ſeverity. "If there is treaſon," he ſaid, "there are traitors, let them be diſcovered, and brought to condign puniſhment." He entered into a long diſcuſſion to prove the charter of Maſſachuſet's Bay not more defective than thoſe of other colonies, and deprecated the meaſure before the houſe, as tending to diſunite the affections of the American ſubjects from this country; and, inſtead of promoting peace, order, and obedience, to produce nothing but clamour, diſcontent, and rebellion.

The right of parliament to tax America was ably vindicated by Sir William Meredith; and Mr. Stanley, viewing hiſtorically the riſe of American government, ſhewed how thoſe erroneous opinions of independence had originated, which now claimed the correction of government.

Mr. Thomas Townshend, although an oppoſition member, ſupported the bill in an honourable and manly ſpeech. He declared he ſhould conſider himſelf the loweſt wretch on earth if he ſuffered party prejudices to ſmother private opinion. Though averſe to meddle with charters, he thought the inconveniences ariſing from the town-meetings juſtified an amendment. The juries were properly altered according to the conſtitution of this country.

Colonel Barre ſtrongly reprobated the violence in both houſes: in the lords the phraſe was, *We have paſſed the Rubicon;* in the commons, *Delenda eſt Carthago.* He deſcanted on the flouriſhing ſtate of French finances, and argued, that, during our conteſt with

CHAP. XXII. 1774.

with the colonies, it was impoſſible that France ſhould abſtain from interfering.

MR. FOX denied the right to tax America, conſidered the bill as one of pains and penalties, and recommended that the colonies ſhould be governed by management rather than by force.

MR. THURLOW, the attorney-general, declared, while the ſovereignty remained in this country the right of taxing was never ſurrendered. The charter of Maſſachuſet's Bay was a matter of mere legiſlative power; and no authority was given to control the right of taxation by Great Britain.

MR. BURKE deprecated meaſures of ſeverity, and recommended a repeal of the tax on tea as the means of reſtoring peace and quietneſs; but although the Americans could not reſiſt the force of Great Britain, a great black-book, and a great many red-coats, could not govern, they would make diſturbances never to be quieted.

LORD NORTH, ſarcaſtically deprecating a reference to *natural rights*, denied that the bill deſtroyed any *civil rights*; no military government was eſtabliſhed; but the civil government was altered. The meaſure was adopted as the beſt at preſent; he did not ſay it would ſucceed, but hoped for good conſequences; if Maſſachuſet's Bay was to be governed by management, no other meaſure appeared ſo feaſible; and the return of the Americans to their duty would re-animate the kindneſs of the mother-country.

AFTER a few remarks from Sir George Savile the bill paſſed [e].

Oppoſition in the houſe of lords.

IT was vehemently oppoſed in the upper houſe, but the debates are not preſerved [f]. A proteſt in ſeven articles

[e] 239 againſt 64.

[f] The impolicy of not ſuffering debates to be publiſhed is ſtrongly evident in this inſtance. The proteſt on the journals, and an able pamphlet, by Dr. Shipley, biſhop of St. Aſaph, called "A ſpeech intended to have been ſpoken," convey all the arguments which could be urged againſt the meaſures of government, and both appear

articles was ſigned by eleven peers[g], and ſuppoſed to contain all the arguments of the minority. Many of its poſitions are mere recapitulations of arguments already noticed in the other houſe, on the forms of inculpation, the right of defence, and the ſacredneſs of charters. The precipitation in paſſing the bill was cenſured, becauſe if the numerous land and marine forces employed could not maintain order in the province till their charter could be legally tried, no regulation in that bill, or in any other, could be effectual; and the mere celerity of a deciſion againſt the charter would not reconcile the minds of the people to that form of government which was to be eſtabliſhed on its ruins. The mode of appointing the council, and nominating the judges and ſheriffs, was objected to as means of tyranny, injuſtice, and oppreſſion. The lives and properties of the people were ſubjected to the governor and council without control; and the invaluable right of trial by jury turned into a ſnare for the public, who had hitherto looked upon it as their main ſecurity againſt the licentiouſneſs of power. Finally, the bill was declared to be intended for the ſupport of an unadviſed ſyſtem of taxing the colonies, in a manner new and unſuitable to their ſituation and conſtitutional circumſtances. The free grants of the American aſſemblies would be far more beneficial, far more eaſily obtained, leſs oppreſſive, and more likely to be laſting, than any revenue to be acquired by parliamentary taxes, accompanied by a total alienation of the affections of thoſe who were to pay them. The contradictions in conduct which had ariſen ſince the repeal of the ſtamp act, and the many weak, injudicious, and precipitate ſteps, accompanying that conduct, were alleged to have kept up a jealouſy which

CHAP. XXII.

1774. 11th May. Proteſt.

appear with an air of authority, while the miniſtry left their proceedings to be defended only by the ordinary means of the preſs; and their ſucceſs in the houſe was converted into an argument of the impolicy of their meaſures.

[g] The diviſion on the third reading of the bill was 92 to 20.

was

CHAP. XXII. 1774.

was ſubſiding, revived dangerous queſtions, and gradually eſtranged the affections of the colonies from the mother-country, without any object of advantage to either. To render the colonies permanently advantageous they muſt be ſatisfied with their condition, and that ſatisfaction could only be reſtored by recurring to the wiſe and ſalutary principles on which the ſtamp act was repealed.

15th April. Bill for impartial adminiſtration of juſtice.

WHILE this bill was pending, lord North introduced another, "For the impartial adminiſtration of juſtice, in the caſes of perſons queſtioned for any acts done in execution of the laws, or for the ſuppreſſion of riots and tumults in the province of Maſſachuſet's Bay." By this law it was declared, if any perſon were indicted in that province for murder, or any other capital offence, and it ſhould appear to the governor, by information on oath, that the fact was committed in the exerciſe or aid of magiſtracy, in ſuppreſſing tumults and riots, and that a fair trial could not be had in the province, he ſhould ſend the perſon ſo indicted to any other colony, or to Great Britain, for trial. The charges on both ſides to be borne out of the cuſtoms in England, and the act to continue in force four years.

Oppoſition and debates in the houſe of commons.

As the bill for regulating the government, and that for the adminiſtration of juſtice in Maſſachuſet's Bay, were before the houſe at the ſame time, the arguments of a general nature frequently applied to both, and the oppoſition was uniformly conducted.

ON moving for leave to bring in this bill, lord North expreſſed his hope that it would effectually ſecure the province from future diſturbances. He then detailed the principal regulations, and propoſed it as the laſt meaſure to be taken by parliament, after which vigilance and firmneſs in his majeſty's ſervants would alone be required.

COLONEL BARRE, with reluctance, reſiſted a meaſure in its infancy, before its features were well formed, but blamed himſelf for his previous moderation.

tion. He ſupported the Boſton Port Bill, though in many reſpects cruel, unwarrantable, and unjuſt; it was a bad way of doing right, yet right was its object, and he would not, by oppoſing it, ſeem to countenance the violence which had been committed. But this propoſition was ſo glaring; ſo unprecedented in parliamentary proceedings; ſo unwarranted by any delay, denial, or perverſion of juſtice in America; ſo big with miſery and oppreſſion to that country, and with danger to this, that he was alarmed and rouſed to oppoſition. It was propoſed to ſtigmatize a whole people as perſecutors of innocence, and incapable of juſtice; yet no ſingle fact was or could be produced to ground that imputation: the inſtances of captain Preſton and Mr. Otis were decidedly adverſe to the propoſition. Our government, on the contrary, had been, for many years, a ſeries of irritating and offenſive meaſures, without policy, principle, or moderation. "Have not your troops and your ſhips," he exclaimed, "made a vain and inſulting parade in their ſtreets and in their harbours? You have ſtudiouſly ſtimulated diſcontent into diſaffection, and you are now goading that diſaffection into rebellion. Can you expect to be well informed, when you liſten only to partizans? Can you expect to do juſtice, when you will not hear the accuſed?" He then examined, as precedents, the ſuſpenſion of the Habeas Corpus act in 1745—the ſubjecting ſmugglers to trial in Middleſex, and the Scotch rebels in England, and proved them all incompetent to ſupport the meaſure. Proceeding to inveſtigate the military character, the colonel declared the bill a prelude to inſolence and outrage, and that every paſſion pernicious to ſociety would be let looſe upon a people unaccuſtomed to licentiouſneſs and intemperance. "I have been bred a ſoldier," he obſerved, "have ſerved long, reſpect the profeſſion, and live in the ſtricteſt habits of friendſhip with many officers: but no country gentleman in the houſe looks on the army with a more jealous eye, or would more ſtrenuouſly

CHAP. XXII. 1774.

CHAP. XXII. 1774.

ſtrenuouſly reſiſt the ſetting them above the controul of civil power. No man is to be truſted in ſuch a ſituation. It is not the fault of the ſoldier, but the vice of human nature, which, unbridled by law, becomes inſolent and licentious, wantonly violates the peace of ſociety, and tramples upon the rights of human kind." He implored the houſe not to purſue meaſures tending to exaſperate the Americans. "Alienate your colonies," he ſaid, "and you will ſubvert the foundation of your riches and ſtrength. Let the banners of rebellion be once ſpread in America, and you are an undone people. You are urging this deſperate, this deſtructive iſſue: you are urging it with ſuch violence, and by meaſures tending ſo manifeſtly to that fatal point, that (but that a ſtate of madneſs only could inſpire ſuch an intention) it would appear to be your deliberate purpoſe. You are becoming the aggreſſors, and offering the laſt of human outrages to the people of America, by ſubjecting them, in effect, to military execution. I know the vaſt ſuperiority of your diſciplined troops over the provincials; but beware how you ſupply the want of diſcipline by deſperation. They may be flattered into any thing, but they are too much like yourſelves to be driven. Have ſome indulgence for your own likeneſs; reſpect that ſturdy Engliſh virtue; retract your odious exertions of authority, and remember that the firſt ſtep toward making them contribute to your wants is to reconcile them to your government."

MR. WEDDERBURNE explained and defended the principles of the propoſed bill, which was only intended, during a limited time, to procure that which every one muſt deſire, a fair trial for imputed crime.

21ſt April. ON its introduction, alderman Sawbridge, in a vehement ſpeech, declared he ſhould think himſelf highly unworthy a ſeat in parliament if he ſuffered ſo pernicious a bill to paſs in any ſtage without his hearty negative. He termed the meaſure ridiculous and cruel, and denied that witneſſes againſt the crown could

could ever be obtained from America. "I plainly foreſee," he ſaid, "the dangerous conſequences of this act; it is meant to enſlave the Americans; and the ſame miniſter would, if he had an opportunity, enſlave England; it is his aim, and what he wiſhes to do; but I ſincerely hope the Americans will not admit of the execution of theſe deſtructive bills, but nobly refuſe them; if they do not, they are the moſt abject ſlaves that ever the earth produced, and nothing the miniſter can do is baſe enough for them." CHAP. XXII. 1774.

To this vulgar ribaldry lord North replied with great moderation; he wiſhed to have the meaſure thoroughly diſcuſſed, and, if bad, rejected. He diſclaimed every intention of enſlaving America, and declared the aſſertion to be no better founded in truth than another, importing that the Americans had ſeen their error, and were willing to make reparation to the Eaſt India company. So far were they from ſuch ſentiments, that letters recently received brought accounts of renewed acts of violence

On the third reading, the debate was not long or intereſting, and the bill paſſed by a great majority [h]. 6th May.

In the houſe of lords, the oppoſition was ſimilar to that againſt the former act. On the third reading, the marquis of Rockingham detailed, at conſiderable length, his objections. He reviewed the tranſactions relative to America from the repeal of the ſtamp act during his own adminiſtration; and while he laboured to ſhew the propriety of that meaſure, ſtigmatized the tea-duty as an uncommercial, unproductive, peppercorn claim, retained only for the ſake of contention. He particularly objected to the bill in queſtion, that if officers were men of ſenſibility and honour, their ſituation would be worſe under the protection of ſuch a law than without it, as no acquittal could be honourable where the proſecutor had not the uſual means of ſecuring a fair trial. In the houſe of lords.

[h] 127 to 24

CHAP. XXII. 1774.

THE bill paſſed by a great majority[1]; but a proteſt, ſigned by eight peers, and containing very forcible ſtatements, was entered on the journals.

Proteſt. 15th May.

THE proteſting lords ſaid, that after the variety of proviſions made in the ſeſſion for new-modelling the whole polity and judicature of the province, this bill was an humiliating confeſſion of the weakneſs and inefficacy of all the proceedings of parliament. By ſuppoſing it impracticable to obtain a fair trial for perſons acting under government, the houſe was made virtually to acknowledge the Britiſh government univerſally odious to the province. By ſuppoſing the caſe that ſuch a trial may be equally impracticable in every other province of America, parliament, in effect, admits that its authority is, or probably may, become hateful to all the colonies. The bill was deſcribed as one of the many experiments toward an introduction of eſſential innovations into the government of the empire; and the proteſt concluded by declaring it a virtual indemnity for murder, and recapitulating the arguments againſt the difficulty and hardſhip of ſending parties and witneſſes ſo far for juſtice.

1 May. Second petition of the Americans in London.

THE natives of America, reſident in London, again attempted to intereſt the legiſlature by a petition; but if the temper of the colony had not been expreſſed in a manner ſufficiently forcible to juſtify the proceedings of adminiſtration, the terms in which this extravagant remonſtrance was conceived would have convinced the impartial, that the ſpirit of oppoſition, and contempt of government by which the coloniſts were actuated, required vigorous repreſſion, or that the claim of the mother-country was reduced to a mere verbal pretenſion.

THESE petitioners deprecated the two bills, as fatal to the rights, liberties, and peace of America; com-

[1] 43 to 12. The partial publication of debates precludes the poſſibility of eſtimating the arguments of the peers who ſupported adminiſtration. The principal ſpeakers on that ſide were the chancellor, and the earls of Denbigh and Sandwich.

plained

plained of the Boſton Port act, as a violation of the firſt principles of juſtice and the law of the land, as it puniſhed without hearing the accuſed. After deſcanting on the violation of charters, and the propoſed mode of appointing and removing judges, they added, they perceived a ſyſtem of judicial tyranny deliberately impoſed on them, which from bitter experience of its intolerable injuries had been aboliſhed in Great Britain. The bill for more impartial adminiſtration of juſtice was decried as an immunity for murder, of which the ſoldiery, already taught by the incendiary arts of wicked men to regard the people as deſerving of every ſpecies of violence and abuſe, would not heſitate to avail themſelves. The inſults and injuries of a lawleſs ſoldiery, they ſaid, were ſuch as no free people could long endure; and they apprehended, in the conſequences of this bill, the horrid outrages of military oppreſſion, followed by the deſolation of civil commotions, while the diſpenſing power given to the governor, advanced as he already was above the law, and not liable to impeachment from the people he might oppreſs, muſt conſtitute him an abſolute tyrant. They boaſted of the loyalty of the colony, and throwing all the blame of the late diſturbances on the governor, boldly averred, that among a people hitherto remarkable for loyalty to the crown, and affection for Great Britain, no hiſtory could ſhow, nor would human nature admit of an inſtance of general diſcontent, but from a general ſenſe of oppreſſion. They *wiſhed* they could perceive any difference between the moſt abject ſlavery and an entire ſubjection to a legiſlature, in the conſtitution of which they had not a ſingle voice, nor the leaſt influence, and in which no one was preſent on their behalf. They ſtrenuouſly urged the principle of taxation by conſent alone, aſſimilated themſelves to Ireland, and declared the bills would reduce their countrymen to the dreadful alternative of being totally enſlaved, or compelled into a conteſt the moſt ſhocking and unnatural with a parent-ſtate, which had ever been

CHAP. XXII. 1774.

been the object of their veneration and love. They concluded with these words, no less remarkable for hypocrisy than for resolute contumacy: "In a distress of mind which cannot be described, the petitioners, conjure the house not to convert that zeal and affection which have hitherto united every American hand and heart in the interests of England, into passions the most painful and pernicious; most earnestly they beseech the house not to attempt reducing them to a state of slavery, which the English principles of liberty they inherit from their mother-country will render worse than death; and therefore pray that the house will not, by passing these bills, overwhelm them with affliction, and reduce their countrymen to the most abject state of misery and humiliation, or drive them to the last resources of despair."

19th April. Motion for the repeal of the duty on tea.

THE notion that the repeal of the duty on tea would tranquillize opposition, and suppress every disagreement between the colonies and the parent-state, induced Mr. Rose Fuller, an old member of parliament, and, in general, a supporter of the minister, to move for a committee, intended to produce that measure; and he introduced his proposition with great moderation.

HE was seconded by Mr. Pennant, and an animated debate ensued. The supporters of Mr. Fuller's motion argued chiefly the importance of retaining the friendship of America, the trivial amount of the tea duty, the impropriety of founding a claim to real taxation on mere imaginary, or virtual representation, and the hostile appearance which the legislature must assume by rejecting the motion. These topics were principally enforced by captain Phipps, Stephen Fox, Charles Fox, Frederick Montague, and colonel Barré.

ON the other side, it was contended that the amount of the tea duty was not unimportant; the Americans would not be satisfied with the repeal of the tax, but their views extended to an emancipation from all controul; this was proved by referring to the conduct of the

the legiſlature of Maſſachuſet's Bay, long diſtinguiſhed for its rebellious tendency, and the combinations and illegal proceedings of the people. It was alſo argued that the repeal would be taken as an indication of weakneſs rather than a conciliatory tenderneſs. It was even remonſtrated that a want of unanimity in rejecting this queſtion would be productive of dangerous conſequences, by affording countenance to reſiſtance; and firmneſs and reſolution were recommended as the only means of reſtoring peace. The ſpeakers on this ſide were Mr. Rice, Mr. Cornwall, lord Beauchamp, Mr. Buller, the ſolicitor-general, and lord North. CHAP. XXII. 1774.

Some reflections in the debate on the repeal of the ſtamp act produced from Mr. Burke one of the moſt brilliant ſpecimens of ſenatorial eloquence which the records of any age or country can boaſt. He contended, that from the period of repealing the ſtamp act, the practical right of taxing America ought to have vaniſhed from the minds of ſtateſmen, and decried the abſurdity of continuing a tax merely for the ſake of a preamble to an act of parliament, when five-ſixths of the revenue intended to be raiſed were abandoned. He read a letter written by lord Hillſborough when ſecretary of ſtate for America, upon which he grounded an inference of an abſolute promiſe that taxation would not be again attempted. He ſaid, that from the paſſing of the Navigation Act till the year 1764, trade, and not taxation, being the object of England, no attempt had been made to raiſe a revenue in America. The firſt glimmerings of the new colony-ſyſtem dawned under Mr. Grenville. Mr. Burke then depicted in animated terms, and with conſiderable force and diſcrimination, the talents, politics, and meaſures of that miniſter. Purſuing his hiſtory of the Stamp Act, its repeal, and the ſubſequent proceedings, he delineated, in a ſimilar manner, the marquis of Rockingham, lord Chatham, and his motley adminiſtration, and Charles Townſhend, under whoſe auſpices the exiſting American revenue act was paſſed. By Burke's celebrated ſpeech.



31348

CHAP. XXII. 1774.

the ſubſequent repeal of the whole ſeries of taxes, excepting that on tea, the revenue was nearly annihilated, and nothing remained worth a conteſt, unleſs it were the preamble of the act, which declared *it was expedient to raiſe a revenue in America.* He recommended the repeal of the tax as a meaſure of policy, and adviſed the houſe, if they afterward apprehended ill effects from conceſſion, to leap ſhort, decline reaſoning, and oppoſe the ancient policy and practice of the empire as a rampart againſt innovators on both ſides, and thus they would ſtand on great, manly, and ſure ground. "I am not going," he ſaid, "into the diſtinctions of rights, nor attempting to mark their boundaries. I do not enter into thoſe metaphyſical diſtinctions; I hate the very ſound of them. Leave the Americans as they anciently ſtood, and theſe diſtinctions, born of our unhappy conteſt, will die along with it. They, and we, and their and our anceſtors, have been happy under that ſyſtem. Let the memory of all actions, in contradiction to that good old mode, on both ſides, be extinguiſhed for ever. Be content to bind America by laws of trade; you have always done it. Let this be your reaſon for binding their trade. Do not burthen them by taxes; you were not uſed to do ſo from the beginning. Let this be your reaſon for not taxing. Theſe are the arguments of ſtates and kingdoms; leave the reſt to the ſchools, for there only they may be diſcuſſed with ſafety." If this advice were rejected, he augured, as a certain conſequence, reſiſtance; if the ſovereignty of England, and the freedom of America, could not be reconciled, the Americans would caſt off ſovereignty, for no man would be argued into ſlavery.

In reconciling his preſent opinion with the declaratory act, Mr. Burke appears to have been embarraſſed; he attempted a diſtinction ſomewhat too ſubtle to form a baſis of action in government. "The parliament of Great Britain," he ſaid, "ſits at the head of her extenſive empire in two capacities; one as the local legiſlature

legiſlature of this iſland, providing for all things at home, immediately, and by no other inſtrument than the executive power. The other, and I think her nobler capacity, is what I call her imperial character; in which, as from the throne of heaven, ſhe ſuperintends all the ſeveral inferior legiſlatures, and guides and controuls them all without annihilating any. As all theſe provincial legiſlatures are only co-ordinate to each other, they ought all to be ſubordinate to her. It is neceſſary to coerce the negligent, to reſtrain the violent, and to aid the weak and deficient, by the overruling plenitude of her power. She is never to intrude into the place of the others, whilſt they are equal to the common ends of their inſtitution. But in order to enable parliament to anſwer all theſe ends of provident and beneficent ſuperintendence, her powers muſt be boundleſs. Gentlemen who think the powers of parliament limited may pleaſe themſelves to talk of requiſitions. But ſuppoſe the requiſitions are not obeyed? What! Shall there be no reſerved power in the empire to ſupply a deficiency which may weaken, divide, and diſſipate the whole? We are engaged in war; the ſecretary of ſtate calls upon the colonies to contribute; ſome would do it, I think moſt would cheerfully furniſh whatever is demanded; one or two, ſuppoſe, hang back, and eaſing themſelves, let the ſtreſs of the draft lie on the others; ſurely it is proper that ſome authority might legally ſay, Tax yourſelves for the common ſupply, or parliament will do it for you. This backwardneſs, as I am told, was actually the caſe of Pennſylvania for ſome ſhort time, toward the beginning of laſt war, owing to ſome internal diſſentions. But, whether the fact were ſo or otherwiſe, the caſe is equally to be provided for by a competent ſovereign power. But then this ought to be no ordinary power; nor ever uſed in the firſt inſtance. This is what I meant, when I have ſaid at various times that I conſider the power of taxing in parliament as an inſtrument of empire, and not as a mean of ſupply."

CHAP. XXII. 1774.

ply." He recommended lenity, and that policy, not rancour, ſhould be the rule of conduct. "Let us act," he ſaid, "like men, let us act like ſtateſmen: let us hold ſome ſort of conſiſtent conduct. It is agreed that a revenue is not to be had in America. If we loſe the profit, let us get rid of the odium."

By this ſpeech, which was afterward publiſhed, the orator acquired great applauſe, and his party a conſiderable benefit. The ſyſtem recommended was ſpecious, and calculated to captivate by a mixture of moderation and reſolution; it unfolded many wiſe principles of policy, while every gratification was afforded to the fancy, by playful and elegant ſallies of imagination, expreſſed in the happieſt language, and illuſtrated by images irreſiſtibly pleaſant: but the advice it contained was inadmiſſible; the time, the unrepented aggreſſion of the Americans, the acknowledged neceſſity of puniſhment, and the propriety of reſtraining the exertions of diſloyalty, forbad the adoption of a ſyſtem which, inſtead of diſcouraging, appeared to proffer a premium for oppoſition to the ſupremacy of Great Britain.

Motion rejected.

The motion was rejected[k], and Mr. Roſe Fuller, afterward, in oppoſing the bill for regulating the government of Maſſachuſet's Bay, ſaid, "I will now take my leave of the whole plan. You will commence your ruin from this day. I am ſorry to ſay, that not only the houſe has fallen into this error, but the people approve of the meaſure. The people are miſled; but a ſhort time will prove the evil tendency of this bill. If ever there was a nation running headlong to ruin it is this."

17th May. Lord Chatham's ſpeech on American affairs.

The ranks of oppoſition in the houſe of lords were reinforced by lord Chatham, who, after abſenting himſelf from parliamentary attendance during the laſt two ſeſſions, made his appearance on the third reading of a bill for quartering troops in America, and ſtated

[k] 182 to 49.

at

at large his opinions on the proceedings relative to that country. CHAP. XXII. 1774.

He began by obſerving, that a tranſient view of the motives which induced the anceſtors of the Americans to quit their native land, and encounter the difficulties of unexplored regions in the weſtern world, would remove all impreſſions of aſtoniſhment at the conduct of their deſcendants. There was no corner of the globe into which men of their free and enterprizing ſpirit would not fly with alacrity, rather than ſubmit to the ſlaviſh and tyrannical principles which prevailed at that period in their native country: and ſhall we wonder if the progeny of ſuch illuſtrious characters ſpurn, with contempt, the hand of unconſtitutional power, that would ſnatch from them ſuch dear-bought privileges, as they now contend for? Had the colonies been planted by any other kingdom than our own, the inhabitants would have carried with them the chains of ſlavery, and ſpirit of deſpotiſm; but as they are, they ought to be remembered as great inſtances to inſtruct the world what exertions mankind will naturally make when left to the free exerciſe of their own powers. He blamed, in unqualified terms, the conduct of the Americans in ſome inſtances, particularly the riots in Boſton; but the meaſures purſued to bring them to a ſenſe of their duty were aſtoniſhing, from their diametrical oppoſition to the fundamental principles of ſound policy. In proof of the gratitude of the Americans for the repeal of the Stamp Act, and their ſincere loyalty at that period, lord Chatham read an extract of a letter from governor Bernard, and he inferred that the ſame temper would have continued, but for the fruitleſs endeavours ſubſequently made, to tax them without their conſent. From the complexion of the proceedings, he thought adminiſtration had purpoſely irritated them into thoſe violent acts, for which they ſo ſeverely ſmarted, purpoſely to be revenged for the victory they

CHAP. XXII. 1774.

gained by the repeal of the Stamp Act; a meaſure in which the miniſtry ſeemingly acquieſced, but, at the bottom, were its real enemies. What could induce them to dreſs taxation, that father of American ſedition, in the robes of an Eaſt India director, but to break in upon the peace and harmony ſo happily ſubſiſting? He adviſed the adoption of a more lenient plan in the government of America, as the day was not far diſtant when America might vie with theſe kingdoms, not only in arms, but in arts. The principal towns in America were learned and polite, underſtood the conſtitution of the empire, and conſequently would have a watchful eye over their liberties, to prevent encroachment on their hereditary rights. In ſupport of this opinion he read an extract from the pamphlet of an American author, denying the right of the mother-country to tax the colonies. Affirming this to be his own opinion, which he would carry with him to the grave, he recommended the ſubſtitution of kindneſs for rigour. "Inſtead of adding to their miſeries," he ſaid, "adopt ſome lenient meaſures, which may lure them to their duty: act like an affectionate parent toward a beloved child; and inſtead of thoſe harſh and ſevere proceedings, paſs an amneſty on all their youthful errors; claſp them once more in your arms, and, I will venture to affirm, you will find them children worthy of their ſire. But ſhould their turbulence exiſt after proffered terms of forgiveneſs, I will be among the foremoſt to promote ſuch meaſures as will effectually prevent a future relapſe, and make them feel what it is to provoke a fond and forgiving parent! A parent whoſe welfare has ever been my greateſt and moſt pleaſing conſolation." This declaration may ſeem unneceſſary; but I will venture to declare, the period is not far diſtant when ſhe will want the aſſiſtance of her moſt diſtant friends; but ſhould the all-diſpoſing hand of Providence prevent me from affording her my poor aſſiſtance, my prayers ſhall be ever for

for her welfare—Length of days be in her right hand, and in her left riches and honour; may her ways be ways of pleaſantneſs, and all her paths be peace!"

CHAP. XXII. 1774.

ONE more law relative to America was introduced during this ſeſſion, and occaſioned ſtrenuous debates. Since the ceſſion of Canada, that extenſive ſovereignty had been governed by royal proclamations; no parliamentary ſyſtem was eſtabliſhed; the cuſtoms of the land were not ſanctioned by explicit conſent, or meliorated by a more perfect form of juriſprudence. Yet the ſubject had not lain dormant, it was often deliberated in the cabinet; but the difficulty and danger of deciding on abſtract principles of legiſlation, and the inſtability of adminiſtrations, had hitherto prevented effectual progreſs. At length, in 1771, the king, by a ſpecial order, directed the reports and papers relative to the laws and courts of judicature, and the defects in the mode of governing Quebec, to be referred to the advocate, attorney, and ſolicitor-general, to prepare a general plan of civil and criminal law; and they were ſubſequently directed to make ſeparate reports to the king in council. Every ſpecies of information was reſorted to, and diligently compared, and applied in the formation of theſe reports, on the baſis of which a bill was framed, "For making more effectual proviſion for the government of Canada."

Bill for the government of Canada.

IT paſſed, without material oppoſition, through the upper houſe, where it was firſt introduced: but in the houſe of commons the reſiſtance was more ſtrenuous than had been made to any meaſure during the ſeſſion.

THE firſt object of the bill was to define the boundaries of Canada, which were enlarged to an unexpected extent, including all the lands in America not ſubject to any previous grant, or comprized in any charter. The limits, thus extended, ſtretched from Chaleur Bay, along the ſouthern coaſt of St. Lawrence, almoſt to Crown Point; they were alſo carried over

View of the bill, how oppoſed and defended.

CHAP. XXII. 1774.

over the whole interior country, which lay behind the New England provinces, together with thoſe of New York and Pennſylvania, to the borders of Ohio. The boundary line then proceeded weſtward, through ten degrees of longitude, to the eaſtern banks of the Miſſiſippi, whence it extended northward, to the ſouthern boundary of the lands granted to the Hudſon's Bay company, being from about the fortieth to the fiftieth degree of latitude.

THE government of this domain, which appeared from evidence to be inhabited by about three hundred and ſixty Engliſh, and a hundred and fifty thouſand French ſettlers, was modelled with ſtrict attention to the habits, prejudices, manners, and convenience of the people. Abſtract theory, as well as national predilection, would have pointed out the Engliſh conſtitution, both in church and ſtate, as the beſt model for the government of Canada: But no wiſe ſtateſman; no conqueror, unleſs a mere predatory tyrant, would attempt the raſh experiment of forcing on a whole people, a ſcheme of government, formed at a diſtance from their abode, and arranged without a pretence of conſulting their wants, their grievances, their means of information, or their views of happineſs. The ſyſtem of mutual repreſentation, mutual reliance, and mutual reſponſibility, which forms the baſis of the Britiſh conſtitution, and is admirably adapted to the genius, the manners, and the commercial and political relations of the nation, would, if applied to a people living widely ſcattered in a thinly inhabited country, and ſo educated as to entertain an habitual predilection for another mode of government, have been a curſe inſtead of a benefit, a badge of ſlavery inſtead of a buckler of defence. Yet there were points of eſſential importance in the Britiſh conſtitution, which a due regard to the real happineſs of the governed, would not juſtify the governors in omitting.

THE Canada or Quebec bill, therefore, granted the free exerciſe of the religion of the church of Rome, ſubject

ſubject to the king's ſupremacy, and the clergy were permitted to enjoy their property, and receive the accuſtomed dues from perſons profeſſing that perſuaſion; with a proviſo, that the king ſhould not be diſabled from making ſuch proviſion as he ſhould think fit for the proteſtant clergy.

ALL property was to be held, and all controverſies relative to it, among Canadians, were to be decided by the exiſting laws of Canada, and without the intervention of a jury; a proviſo was made for freeing eſtates from feudal entails, and excepting from the rule all lands granted by the king.

THE criminal law of England was inſtituted, with trial by jury.

A LEGISLATIVE body was conſtituted, conſiſting of perſons reſident in Canada, in number not leſs than ſeventeen, nor more than twenty-three, who were to be appointed by his majeſty in council. They were to make ordinances for the government of the province, but not to impoſe taxes; and their edicts were to be conſidered as abſolutely repealed, if diſapproved by the king in council. The legiſlature was alſo reſtrained from enacting ſevere penalties for religious offences, and from meeting at undue ſeaſons of the year, and without ſufficient notices.

FINALLY, the king was empowered to erect any courts, criminal, civil, or eccleſiaſtical, by letters patent under the great ſeal.

THE chief general objections to the bill were derived from its tendency to eſtabliſh a deſpotic government, contrary to the royal proclamation in 1763, and the indecency of urging a buſineſs of ſo much importance, at a late period of the ſeſſion, when many of the members had retired into the country. 26th May, to 13th June. Oppoſition.

THE clauſe which fixed the limits of the province was cenſured on two grounds, firſt, if in any future war, Canada ſhould be reſtored to the French, they would, by the explicit avowal of the Britiſh parliament, poſſeſs an undoubted claim to a territory, more ample

CHAP. XXII. 1774.

ample than they had ceded at the laſt peace; ſecondly, if we were to retain the province, the enormous addition operated as a grievance on the inhabitants of the planted and chartered colonies. If, in order to live on what they had ever eſteemed their direct property, they croſſed an imaginary line, they found themſelves ſuddenly deprived of all their own charters, and all the common privileges of Engliſhmen, and ſubjected to an arbitrary ſyſtem of French government: this was decried as a violent, cruel, and odious meaſure, which tore up juſtice and all its principles by the root.

Anſwer.

THE argument relative to the reſtoration of the colony to the French, was anſwered by Mr. Thurlow, who ſaid, the limits and importance of ceſſions were never dependent on legiſlative arrangements, but on the length of the ſword: ſucceſs in war would give ſucceſs in peace, and not imaginary lines drawn by a ſtate for its colonies: nor had the limits now deſcribed any reference to old Canada; it was not a reſtoration of the limits once contended for by France, but a new ſcheme, including countries for which France had never contended.

WITH reſpect to the injury to be ſuſtained by the inhabitants of chartered colonies, it was obſerved, that they muſt voluntarily place themſelves in a ſituation to receive it; and it would be extremely imprudent, in favour of ſuch a ſuppoſition, to leave without government all the chain of poſts already eſtabliſhed through the whole country included in the bill, and not protected by any law, or defended by any charter.

Petition of the Penn family.

THE Penn family petitioned againſt this part of the bill, on the ground that it deprived them of part of their legal eſtate. The miniſter admitted the validity of the petition, and ſaid, it never was the intention of the meaſure to affect the juſt rights of the proprietors or of the colonies.

Oppoſition on the ſubject of religion.

THE clauſe, allowing the exerciſe of the catholic religion, was not much oppoſed in the houſe. Some diſtinctions were made between toleration and eſtabliſh-

ment, but nothing of importance was urged, nor any amendment attempted, except in the form of one of the preſcribed oaths. An effort was, however, made to excite popular prejudice, and the corporation of London, in their petition againſt the bill, did not forget to remind the king, that the Romiſh religion was idolatrous and bloody, and that his illuſtrious family was called to the throne, in conſequence of the excluſion of the Roman Catholic ancient branch of the Suart line, under an expreſs ſtipulation to profeſs and maintain the Proteſtant faith. CHAP. XXII. 1774. Petition from the city.

THE continuance of the French law, diſpenſing juſtice without a jury in civil caſes, while the Engliſh code was granted in criminal matters, occaſioned numerous and violent debates. The oppoſition inſiſted, that by this diſtinction, a complete deſpotiſm was eſtabliſhed: the king, by mixing his Engliſh with French ſubjects, and involving both in the ſame law, obtained over both all the powers of a French king: he might even, if he pleaſed, impriſon by *Lettres de Cachet*. The privation of the trial by jury, in civil caſes, and of the Habeas Corpus, was repreſented as an intolerable hardſhip. Oppoſition on the ſubject of law.

THE merchants of London trading to Canada petitioned againſt this part of the bill, as tending to render their property leſs ſecure, and were heard by counſel. Two merchants were produced as witneſſes[l], who ſtated, that the people of Canada were highly pleaſed with the trial by jury in civil cauſes; and that a diſcontinuance of it would be of great prejudice. On the other hand, five witneſſes were examined, ſome of whom had been long reſident, and filled important ſtations in the colony[m]; from their information it generally reſulted, that the Canadians, though highly Petition of the Canada merchants in London. Evidence.

[l] Edward Watts and Samuel Morin.

[m] They were general Carleton, governor of Canada; Mr. Maſeres, curſitor-baron of the exchequer, late attorney-general of the province, and agent to the Engliſh inhabitants; Mr. Hey, chief juſtice of the province; M. Lothbiniere, a French gentleman of conſiderable property; and Dr. Mariott, the king's advocate-general.

pleaſed

CHAP. XXII. 1774.

pleaſed with the Britiſh form of criminal juriſprudence, had an inſurmountable diſguſt to the deciſion of civil cauſes by a jury.

THE enormous expenſe of that mode of trial in a country thinly inhabited; the difficulty of obtaining the attendance of jurors, and the amount of their travelling charges and maintenance, were ſucceſsfully urged as reaſons againſt the eſtabliſhment. An attempt was made during the progreſs of the bill to obtain a right for either party in ſuit to demand a trial by jury, but without effect. The general arguments relative to tyranny, and the want of the Habeas Corpus, could not, it was obſerved, be decided on mere ſuppoſitions; time would diſcover, and the legiſlature of the colony would announce, whether the king did in fact impriſon his ſubjects by *Lettres de Cachet*, and whether they felt any real grievance from the non-introduction of a new writ, incompatible with the forms of that law by which they preferred to be governed. It was alſo ſucceſsfully urged, that if tyranny were the aim of the bill, the means taken to eſtabliſh it were ſingular and unapt; a government by law was ſubſtituted for one purely optional, and the king's power of ruling by proclamation was aboliſhed by act of parliament.

MANY objections were made againſt veſting the legiſlative power in the governor and council alone, without an aſſembly, as in other colonies. But the extreme abſurdity of a pretended election, the rights of which ſhould reſide in three hundred and ſixty perſons, while the number governed was upwards of a hundred and fifty thouſand, was an irrefragable argument againſt the propoſition for eſtabliſhing a repreſentative ſenate. It was alſo proved in evidence, that the Canadians were not deſirous of being repreſented in any aſſembly, and from the aſpect of the times, policy dictated that they ſhould, as little as poſſible, be placed in the ſame ſituation with the other provinces of America.

As

CHAP. XXII.

1774.

As ſeveral alterations were made in the bill, it became neceſſary to return it to the upper houſe. Although in a leſs exceptionable form it had paſſed almoſt without oppoſition, yet its principles were now ſtrenuouſly reſiſted. Lord Chatham, on the third reading, recapitulated all the objections uſed in the houſe of commons, and called it the child of inordinate power. He invoked the bench of biſhops to reſiſt a law by which the Roman Catholic religion would become the eſtabliſhment of a vaſt continent, and inſiſted that parliament had no more right to alter the oath of ſupremacy, than to repeal the Great Charter, or the Bill of Rights. Lord Dartmouth and lord Lyttleton defended the bill, but with no new argument[n], and the corporation of London ineffectually petitioned the king to refuſe his ſanction.

Debates in the lords.

17th June.

2nd. Petition to the king.

During this long and active ſeſſion, many other objects of public importance were agitated in parliament. The houſe of lords, by reverſing a decree of the court of Chancery, eſtabliſhed the principle that bookſellers have not a perpetual right in the copies of works, which they poſſeſs by aſſignment from their authors. Several beneficial regulations were made in the gold coin, purſuant to the ſuggeſtion in the king's ſpeech. A committee was appointed to conſider and report on the ſtate of the linen and woollen trades, and an act paſſed for the relief of inſolvent debtors, and priſoners incapable of paying their fees.

Other acts of parliament.

In terminating the ſeſſion, the king applauded the Quebec act, as founded on the cleareſt principles of humanity and juſtice, and calculated to produce the beſt effects in quieting the minds and promoting the happineſs of the Canadians. He lamented the dangerous ſpirit of reſiſtance diſplayed by the people of Maſſachuſet's Bay, but approved the meaſures adopted by parliament to reſtrain them. He ſaid, "The temper and firmneſs with which you have conducted

23d. King's ſpeech on concluding the ſeſſion.

[n] It was carried 26 to 7.

CHAP. XXII. 1774.

yourſelves in this important buſineſs, and the general concurrence with which the reſolution of maintaining the authority of the laws in every part of my dominions hath been adopted and ſupported, cannot fail of giving the greateſt weight to the meaſures which have been the reſult of your deliberations. Nothing that depends on me ſhall be wanting to render them effectual. It is my moſt anxious deſire to ſee my deluded ſubjects, in that part of the world returning to a ſenſe of their duty, acquieſcing in that juſt ſubordination to the authority, and maintaining that due regard to the commercial intereſts of this country, which muſt ever be inſeparably connected with their own real proſperity and advantage."

## CHAPTER THE TWENTY-THIRD;

### 1774.

*Proceedings in Maſſachuſet's Bay.—Arrival and effect of the Boſton port act.—The cauſe of Boſton eſpouſed in ſeveral colonies.—The aſſembly of Maſſachuſet's Bay removed to Salem.—Their addreſs to the governor.—Members appointed to a general congreſs.—Recommendations to the people.—Diſſolution of the aſſembly.—Town-meeting at Boſton.—Addreſs of the merchants and freeholders of Salem to the governor.—Solemn league and covenant.—Efforts at conciliation.—Drafts of the other bills arrive—their effect.—Arrival of troops.—Alarm on placing guard at Boſton Neck.—New council formed.—Juries and law officers refuſe to act.—Militia diſarmed and ſtores ſeized.—Public reſentment.—Boſton Neck fortified.—Outrages of the people.—They arm.—Suffolk meeting—their reſolves and remonſtrance.—Gage's anſwer.—The aſſembly meet in defiance of the governor.—Reſolve themſelves into a provincial congreſs.—Their remonſtrance.—Gage's anſwer—and proclamation.—Sitting of the general congreſs at Philadelphia.—Formation.—Mode of voting.—Secrecy in debate.—Detached proceedings.—Declaration of rights.—Aſſociation.—Addreſs to the people of Great Britain.—To the colonies.—To the people of Quebec.—Petition to the king.—Inſtructions to their agents.—Diſſolution.—Obſervations on their proceedings.—Effects of the congreſs.—Royal proclamation.—Inſurrection at Rhode Iſland, and in New Hampſhire.*

CHAP. XXIII.

1774. Contumacious proceedings in Maſſachuſet's Bay.

BEFORE intelligence of the parliamentary proceedings could be received, the people of Maſſachuſet's Bay manifeſted a diſpoſition to exaſperate the mother-country by repeated outrages. Tea ſhips, which arrived after the deſtruction of the firſt cargoes, were treated in a ſimilar manner; a poſt-office was projected to rival the government eſtabliſhment; and the aſſembly, before their diſſolution, found a new ſubject of conteſt with the governor, by reſolving to continue Dr. Franklin their agent; while Hutchinſon

CHAP. XXIII.

refuſed to ratify the appointment, or ſanction the law for paying his ſalary.

1774. General Gage appointed governor.

AMONG other miniſterial arrangements was the removal of governor Hutchinſon; he was ſucceeded by general Gage, who was married to an American, had long commanded the troops in the province of Maſſachuſet's, and was reſpected for his prudence and urbanity.

10th May.

The auſpices, under which he commenced his office, were in the higheſt degree diſcouraging, for ſome inhabitants of Boſton, attempting the cuſtomary civility of a complimentary meſſage to the ex-governor, their proceeding was proteſted againſt by many of the citizens, and the populace expreſſed their hatred and contempt by hanging him in effigy. General Gage, however, received the uſual honours from the council, magiſtrates, clergy, military, and town officers.

Arrival and effect of the Boſton port act.

THE Boſton port act was already arrived, and received with a mixed ſenſation of indignation and terror. The ſeverity of its enactments[a], and the impoſſibility of evaſion, appalled the factious, and the uncertainty whether the other colonies would join in the cauſe, or take advantage of their ſituation, produced the utmoſt anxiety and conſternation. The reſolves

14th May. Town-meeting.

of a meeting, held to take the act into conſideration, no longer breathed the haughty and impetuous tone of former days, but indicated fear, heſitation, and irreſolution. They declared, if the other colonies would decline all commercial intercourſe with Great Britain and the Weſt Indies till the repeal of the obnoxious act, their reſolution would prove the ſalvation of North America, and her liberties; but otherwiſe,

[a] By this act it was ordained, that from the firſt of June 1774, no perſon ſhould receive or diſcharge any cargo or lading at the harbour of Boſton, on pain of forfeiting the cargo and the veſſel; and any wharfinger who permitted ſuch lading or diſcharge to take place at his wharf was to forfeit treble the value of the cargo, computed at the higheſt price, together with the craft employed on the occaſion. No veſſel was allowed to moor within the harbour, or to be ſeen hovering about the bay, after ſix hours notice, on pain of forfeiture. Several penalties were inflicted to prevent colluſions, and the act was to continue in force till ſatisfaction made to the Eaſt India company, and till it ſhould appear to the king in council, that the people of Boſton were ſubmiſſive to law and good order.

fraud,

CHAP. XXIII. 1774.

fraud, power, and the moſt odious oppreſſion, would riſe triumphant over right, juſtice, ſocial happineſs, and freedom. The impolicy, injuſtice, inhumanity, and cruelty of the law, exceeded all their powers of expreſſion, and they left it to the juſt cenſure of God and the world. Copies of this vote were tranſmitted to all the colonies; the act of parliament was printed on paper bordered with black, hawked about the ſtreets as a barbarous, cruel, bloody, and inhuman murder, and in ſome places burnt with great ſolemnity.

24th May. The cauſe of Boſton eſpouſed by Virginia.

THE horrors of ſuſpenſe did not, however, long continue: the houſe of burgeſſes in Virginia decreed, that the day on which the operation of the Boſton port act was to commence, ſhould be ſet apart for faſting and humiliation: "Devoutly to implore the divine interpoſition, for averting the heavy calamity which threatened deſtruction to civil rights; and the evils of civil war; and to give one heart, and one mind to the people, firmly to oppoſe every injury to the American rights."

Aſſembly diſſolved.

SUCH an encroachment on the governor's prerogative as the appointment of a faſt without his concurrence, combined with the motives of the proceeding, induced him to diſſolve the aſſembly; but eighty-nine of the members ſigned an aſſociation, denouncing the attempt to compel one of the ſiſter colonies to ſubmit to arbitrary taxes, as an attack on all Britiſh America; and recommending their committee of correſpondence to communicate with other committees, on the expediency of appointing deputies from the ſeveral colonies to form annually a general congreſs, and deliberate on meaſures conducive to the united intereſts of America. This paper avowed that other meaſures were in contemplation, and expreſſed a hope that Great Britain would not, by perſiſting in the ſyſtem of arbitrary taxation, compel them reluctantly to relinquiſh all commercial intercourſe.

Annual congreſs recommended.

20th May. Proceedings in Philadelphia.

THE people of Philadelphia, excepting the quakers, agreed to ſuſpend all buſineſs on the firſt of June, as an

CHAP. XXIII.

1774. 24th May. an expreſſion of ſympathy, and in order to gain an opportunity of reflecting on the precarious ſituation of American rights. They alſo held a town-meeting, paſſed reſolutions in reprobation of the act, and in favour of a congreſs, and entered into a ſubſcription for relief of the ſuffering inhabitants of Boſton. Several other colonies ſubſequently adopted ſimilar reſolutions, and the cauſe of Boſton was eſpouſed with an ardour equal to their moſt ſanguine wiſhes.

And other colonies.

25th May. Proceedings of the aſſembly of Maſſachuſet's Bay. 26th. MEANWHILE, the aſſembly of Maſſachuſet's Bay met for the laſt time at Boſton, and proceeded to the election of a council, on the day preſcribed by their charter. General Gage opened the ſeſſion, by expreſſing his inclination to concur in all meaſures tending to the welfare of the province, but announced the neceſſity of removing the general court to Salem. They petitioned him to ſet apart a day for general faſting and humiliation, with which he refuſed to comply, and apprehending the ill effects of protracted debates, adjourned the legiſlature to the ſeventh of June, then to meet at Salem.

Effect of the conduct of other colonies. IN this interval, the people were appriſed of the manner in which their cauſe was patronized; they had the ſatisfaction of learning that their ſufferings occaſioned general indignation, and that the faſt on the firſt of June was almoſt every where obſerved with fanatical ſtrictneſs. Meaſures were generally adopted for contravening the intereſts of Great Britain; the wiſh for a congreſs was widely diffuſed, and the province of Maryland even inſtructed the lawyers not to commence ſuits for recovery of debts due to inhabitants of Great Britain, till the Boſton port act ſhould be repealed [b].

9th June. Addreſs to the governor. ANIMATED by theſe aſſurances, the legiſlature took the earlieſt opportunity of inſulting the governor, under pretext of anſwering his ſpeech at the commencement of the ſeſſion. Their addreſs began with

[b] A proteſt againſt this reſolution was ſigned by a reſpectable body of merchants.

ordinary

ordinary felicitations, but, in its progreſs, expreſſed a hope, that his adminiſtration, in principles and conduct, might be a happy contraſt to that of his two immediate predeceſſors. General Gage, interrupting the chairman of the committee, who read the meſſage, refuſed to receive ſuch indecent reflections on the former governors, whoſe conduct had been approved by the king, after a trial and acquittal before the privy-council, were an inſult on his majeſty, the lords of the council, and himſelf.

13th June. Members appointed to congreſs.

THE houſe of repreſentatives next appointed a committee for a general congreſs, ſelecting for that purpoſe, five of their body, who were moſt conſpicuous in oppoſition; and voting five hundred pounds for their uſe out of the treaſury. In this appropriation of the public money, they exceeded their authority, and the governor refuſing his aſſent to the vote, they recomended a levy to that amount by equitable proportions, among the towns and diſtricts of the province.

Committee appointed to frame recommendations. 17th June.

A PROROGATION or diſſolution of the aſſembly being anticipated, a committee was appointed to preſcribe rules of conduct to the people, under the form of recommendations which, in the actual ſtate of oppoſition, would have the effect of laws. They ſpeedily preſented a report, ſtating that their colony, as well as others in North America, had long been ſtruggling under the heavy hand of power; their dutiful petitions for redreſs of intolerable grievances were diſregarded, and the deſign totally to deſtroy the free conſtitution of America, to eſtabliſh arbitrary government, and reduce the inhabitants to ſlavery, appeared to be more and more fixed and determined on: the inhabitants were therefore recommended to diſcontinue the conſumption of tea, as well as of all other merchandizes imported from India and Great Britain, till a redreſs of grievances ſhould be obtained; and encourage to the utmoſt the manufactures of America.

CHAP. XXIII.

1774. Diſſolution of the aſſembly.

ALTHOUGH the committee intended to keep their proceedings profoundly ſecret, and deluded the governor, by a pretence of being employed on conciliatory meaſures, they could not prevent the diſcloſure of their real intention, and general Gage diſpatched the ſecretary to the court-houſe to diſſolve the aſſembly. The officer, finding the doors locked, tranſmitted information to the ſpeaker, that he was charged with a meſſage to the houſe; the aſſembly, however, refuſed to open the doors; and the ſecretary, in preſence of ſeveral members, proclaimed on the ſtairs, the diſſolution of the general court. They, however, conſidered the paſſing of their reſolutions, as a material advantage gained over the governor.

Town-meeting at Boſton.

NOTWITHSTANDING the diſſolution of the legiſlative body, a town-meeting was held at Boſton, where reſolutions were paſſed, and ordered to be tranſmitted, by the correſponding committees, to other colonies, containing aſſurances of the zeal and activity prevailing in Maſſachuſet's Bay, and the general anxiety to meet in congreſs.

15th June. Addreſs of the merchants of Salem to the governor.

AT Salem, the merchants and freeholders preſented an addreſs to the governor, perſonally complimentary, but highly cenſuring the meaſures he was deputed to ſupport. They commiſerated the people of Boſton, but declined availing themſelves of the advantages tendered by the act, by removing the trade from the capital to their town. They ſaid, "Nature, in the formation of their harbour, forbad a rivalſhip with the convenient mart of Boſton, and were it otherwiſe, they muſt be dead to every idea of juſtice, loſt to all feelings of humanity, could they indulge one thought to acquire wealth, and raiſe their fortunes on the ruin of their ſuffering neighbours." They ſpoke in high terms of the hardſhips encountered by their anceſtors, who "to avoid oppreſſion, braved every danger, and began a ſettlement on bare creation; in a dreary wilderneſs filled with ſavage beaſts, and yet more ſavage men:"

and

and complained of the hardſhips endured by themſelves, the progeny of ſuch anceſtors, in being "checked and diſhonoured for exhibiting proofs of that ſpirit which in their fathers produced ſuch aſtoniſhing effects." They ardently wiſhed for a happy union with the Britiſh empire, and would gladly adopt every meaſure compatible with the dignity and ſafety of Britiſh ſubjects. The governor, in his anſwer, aſſured them of his ſympathy with the people of Boſton, and of the good-will of Great Britain toward her colonies: but the mother-country, retaining her ancient ſpirit, found it neceſſary to ſupport her rights, as head of the empire, not by checking the free ſpirit which the coloniſts derived from their anceſtors, but by inculcating that due obedience to the king and parliament, which their fathers had acknowledged. CHAP. XXIII. 1774. His anſwer.

By the activity of the correſponding committees, a general aſſociation was framed throughout the continent, which, according to the puritanical cant of the preceding age, was called, *A Solemn League and Covenant*. In this compact, the parties, "from a conſciouſneſs that no other means exiſted of avoiding the horrors of ſlavery, or the carnage and deſolation of civil war; in the preſence of God, ſolemnly, and in good faith," covenanted, to ſuſpend all commercial intercourſe with Great Britain, till the Boſton port act ſhould be repealed, and reſtoration made of their chartered rights: not to purchaſe or conſume any goods or merchandize from Great Britain, after the laſt day of Auguſt: and to have no dealings with perſons who ſhould break this agreement; but to publiſh their names as enemies to their country, and cut off from all ſocial intercourſe. This ſolemn league and covenant was received with the utmoſt alacrity by the people of Maſſachuſet's Bay. In vain did general Gage iſſue a proclamation, forbidding ſuch unlawful and traitorous combinations, and commanding all magiſtrates and other officers to apprehend perſons publiſhing Solemn league and covenant. 2d of June. Gage's proclamation.

CHAP. XXIII.

liſhing or tendering them for ſignature: his orders were diſregarded, and the compact generally received.

1774.

Efforts at conciliation.

AMIDST the exertions of oppoſition, ſome efforts were not wanting to effect a reconciliation with government. An addreſs was preſented to the governor, ſigned by a hundred and twenty gentlemen and merchants, inhabitants of Boſton, containing a diſavowal of lawleſs violences, and lamenting that he was not intruſted with a diſcretionary power of reſtoring commerce to its ancient courſe, without the loſs of time which muſt be occaſioned by a reference to the king in council. The juſtices of the general ſeſſion, on their meeting in the county of Plymouth, beſide their congratulations to Gage on his appointment, expreſſed ſerious concern at ſeeing the inhabitants of ſome towns influenced by certain perſons calling themſelves committees of correſpondence, and encouraged by ſome whoſe buſineſs was to preach the goſpel of Chriſt, and inculcate principles of loyalty and obedience, entering into a league, calculated to increaſe the diſpleaſure of the ſovereign, exaſperate the parent-country, and interrupt and deſtroy the harmony of ſociety. An attempt was made by the opulent inhabitants of Boſton to procure the paſſing of reſolutions for indemnifying the Eaſt India company, and for diſſolving the committee of correſpondence; but their exertions were over-ruled by a large majority of the lower claſs.

6th July.

Drafts of the other bills arrive.

ALL conciliatory endeavours were finally fruſtrated by the arrival of drafts of the bills for altering the charter, reforming the courſe of juſtice, and quartering ſoldiers in the colony. Theſe bills were printed, and diſtributed in all parts of the continent with pernicious activity, and unlimited profuſion: they completed the exaſperation againſt the cauſe and government of England, and raiſed to its utmoſt pitch the ſpirit of partiality for the people of Maſſachuſet's Bay. All oppoſition to the popular cauſe was ſuppreſſed by clamour and violence: the inhabitants of Boſton were conſidered

Their effect.

CHAP. XXIII.

conſidered martyrs for liberty, and numerous ſubſcriptions were opened for their relief.

1774. Arrival of troops.

GENERAL GAGE, fully appreciating the dangers and difficulties of his ſituation, and knowing the inefficacy, in times of popular commotion, of all appeals to the municipality or the legiſlature, ordered to Boſton ſome regiments of foot, with a detachment of artillery, who were encamped on the common. They were reinforced by troops from Great Britain and Ireland; but he ſoon found the uſual artifices of the coloniſts employed, and deſertion frequent and much encouraged. To check this dangerous ſpirit, he firſt iſſued a proclamation, with the alternatives of pardon to thoſe who ſhould return to their duty within a limited time, and puniſhment to thoſe who refuſed compliance. He then placed a guard at Boſton Neck, a narrow iſthmus, which joins the town with the country. This proceeding, moderate in itſelf, and dictated by neceſſity, was made the ſubject of alarm to the whole colony, and magnified into a deſign of intercepting communication, and by famine compelling the inhabitants of Boſton to comply with the views of government. Such was the effect of theſe inſinuations, that the people of Worceſter aſſembled in arms, and deputed perſons to inquire into the fact; to aſſure the people of Boſton of the aſſiſtance of ſeveral thouſand armed men in caſe of neceſſity; and at the ſame time to caution them againſt the baſeneſs of ſurrendering their liberties, as ſuch an act would be diſavowed by the country.

15th July. Alarm on placing a guard at Boſton Neck.

Auguſt. New council formed.

IN the midſt of this general ferment, the acts for altering the charter, and regulating judicial proceedings were promulgated. Of thirty-ſix members appointed by the king to form a colonial council only twenty-four would be ſworn, and of theſe many were ſubſequently obliged, by threats and injuries, to reſign their commiſſions. They iſſued writs, however, according to the new law, for convening an aſſembly in October.

ALL

CHAP. XXIII. 1774.

All proceedings in the courts of juſtice were alſo ſuſpended, for the perſons ſummoned on juries refuſed to take the oaths under the new judges and the new laws, and the inferior officers of the courts, with all humility, implored pardon in the public papers for having iſſued warrants to ſummon juries; even if their country forgave them, they ſaid, they could never forgive themſelves.

Law buſineſs ſuſpended.

Militia diſarmed.

Diſaffection and tumult ſpread on every ſide; the reign of law was diſſolved, and general Gage apprehending more ſerious conſequences from force, took the opportunity of a general muſter of the militia to deprive them of their ammunition and ſtores, which he placed under ſpecial cuſtody, and removed to Boſton all the military ſtores depoſited at Charleſtown, Cambridge, and Medford. Theſe meaſures were not adopted without clamour and threats of reſiſtance; the deſtruction of houſes, and abuſe of perſons, awaited the friends of government; and even the governor's company of cadets, compoſed wholly of gentlemen, and ſuppoſed to be entirely attached to government, ſuddenly diſbanded themſelves and returned their ſtandard.

2d Sept.

Stores ſeized.

Public reſentment.

Gage's exertions.

Yet the governor did not loſe his firmneſs, or abandon the cauſe he had ſupported. The ſelect men of Salem having, in defiance of the new laws, and of repeated admonitions, proceeded, according to their ancient cuſtom, to the election of town-officers, he iſſued orders for apprehending them; but before the command could be executed the meeting was diſſolved.

Boſton Neck fortified.

Seeing the indiſpenſable neceſſity of ſeparating the troops from the people, he reſolved to fortify Boſton Neck, and to erect barracks; but ſuch was the effect of the ſpirit which animated all ranks, and of the exhortations by which they were daily inflamed, that although workmen were reluctantly engaged, the people ſhowed their antipathy againſt the meaſure, and impeded the projected works by various petty manœuvres; they burned a quantity of ſtraw, ſunk

Outrages of the people.

boats

boats laden with bricks, and overturned carts employed in conveying wood for the uſe of the army. General Gage, however, although he anticipated ſcenes of bloodſhed as inevitable, would not commence them by permitting the ſoldiers to fire on the offenders. CHAP. XXIII. 1774.

They arm.

EVERY effort was employed by the committees of correſpondence and the demagogues to keep alive the flame of ſedition. Continual alarms were circulated of maſſacres by the troops; of the town being cannonaded by the ſhips; and of dangers the more terrific from not being preciſely deſcribed. Arms were in every man's hand, and although the time did not yet appear ripe for the commencement of hoſtile operations againſt government, the intention was ſo reſolutely manifeſted as to leave no doubt of the event.

Suffolk meeting.

IN this ſtate of affairs, when the old charter conſtitution was abrogated, and the newly-eſtabliſhed ſyſtem ſuſpended by violence, the leading men of the province determined on holding an aſſembly of delegates from all the towns of the county of Suffolk, of which Boſton was the capital. This meeting paſſed reſolutions more decidedly hoſtile to the authority of Great Britain than any which had yet been explicitly ſanctioned: they were prefaced, it is true, with a formal profeſſion of allegiance, but were calculated throughout to vindicate reſiſtance, and ſtigmatize obedience as a dereliction of natural right. The late acts were called groſs infractions of civil and religious liberty which ought to be rejected, as the wicked attempts of an abandoned adminiſtration to eſtabliſh deſpotic government. They reſolved to indemnify all ſheriffs, jurors and others, who ſhould be proſecuted for not carrying into execution any proceſs iſſued by the preſent unconſtitutional judges, and declared all members of the new council, who ſhould perſiſt in holding their commiſſions, incorrigible enemies to their country.

CHAP. XXIII. 1774.

country. Their reſolutions alſo cenſured the fortifying of Boſton Neck, and the Quebec act, whereby the religion of Rome and laws of France were eſtabliſhed: recommended a ſuſpenſion of commerce with Great Britain, encouragement of home manufactures, the holding of a provincial congreſs, a ſtrict obedience to the decrees of the continental congreſs; and the people were exhorted to perfect themſelves in the military ſcience, by appearing under arms once in every week. Adverting to the late intended arreſt of the ſelect men of Salem, they adviſed, in caſe ſuch a meaſure ſhould be again attempted, that all the officers of ſo tyrannical a government ſhould be ſeized, and detained till the others were reſtored to liberty. They alſo took upon themſelves to *recommend* (which amounted to a decree) that the collectors and receivers of public revenues ſhould retain the monies in their hands till the civil government of the province was placed on a conſtitutional foundation, or the provincial congreſs ſhould give different orders. They exhorted the people to reſtrain their reſentments, to avoid riots, and convince their enemies, that in a cauſe ſo ſolemn their conduct ſhould merit approbation from the wiſe, and admiration from the brave and free of every age and country. Theſe violent and daring reſolutions concluded with the following remarkable inſtruction, which ſhows the reliance placed on the committees of correſpondence, and the purpoſes of their inſtitution: "Should our enemies, by any ſudden manœuvre, render it neceſſary to aſk aid from our brethren in the country, ſome one of the committee of correſpondence, or a ſelect man from the town where hoſtilities ſhall commence, or be expected, or from the town adjoining, ſhall diſpatch couriers with written meſſages to the ſelect men, or committees of correſpondence of the towns in the vicinity, who ſhall ſend others to committees more remote, until ſufficient aſſiſtance be obtained; the ex-

pence

pence of couriers to be defrayed by the county, until otherwiſe ordered by the provincial congreſs." CHAP. XXIII.

1774.

THEY alſo appointed a committee to wait on the governor with a remonſtrance againſt the fortifying of Boſton Neck; the inſults which the ſoldiers, encouraged by their officers, exerciſed againſt paſſengers; and the ſeizure of public magazines. To theſe proceedings, and the obnoxious acts of parliament, to which they declared their firm reſolution, *by divine aſſiſtance*, never to ſubmit, the remonſtrance imputed the agitation of the public mind. They deſired to avoid hoſtilities with the king's troops, diſclaimed every wiſh and idea of independency, and attributed the troubles of the colonies to miſinformation, ariſing from the ſiniſter deſigns of individuals. The governor returned a ſhort anſwer, denying that he intended to prevent free acceſs to Boſton, or would ſuffer any one under his command to injure the perſons or property of the king's ſubjects; but it was his duty to preſerve the peace and prevent ſurpriſe; and he gave aſſurances that cannon would not be uſed, unleſs hoſtile proceedings rendered it neceſſary.

9th Sept. Their remonſtrance to Gage.

His anſwer.

IT has been already mentioned, that the governor iſſued writs, according to the form of the new law, for convening an aſſembly on the fifth of October: but the courſe of ſubſequent events, the tumultuous diſpoſition of the people, and the numerous reſignations by members of the council appointed by the crown, which had reduced them to too ſmall a number to form a houſe, induced him to countermand, by proclamation, the execution of the writs of ſummons, and diſcharge thoſe already returned from the duty of attendance. The advantage of meeting in a public manner to diſcuſs and reſolve was not, however, to be ſo eaſily renounced; the leading men of the province declared the proclamation illegal; the repreſentatives who were elected met at Salem, and having waited a day in pretended expectation of the governor, denominated themſelves a provincial congreſs, choſe Mr. Hancock

The aſſembly meet in defiance of the governor.

Reſolve themſelves into a provincial congreſs.

CHAP. XXIII. 1774.

Hancock for their preſident, and adjourned to Concord, a town diſtant about twenty miles from the ſeat of government, where they were leſs apprehenſive of interruption or forcible diſſolution.

11th Oct. Their remonſtrance.

ONE of their earlieſt proceedings was a remonſtrance to the governor, in which they vindicated their meeting by a reference to the diſtracted ſtate of the colony; complained that the rigour of the late laws was exceeded by the manner of putting them into execution, and decried the operation of thoſe ſtatutes as calculated to abridge the rights of the people, and licenſe murder. They repreſented the alarm from the great increaſe of troops, and the formidable preparations at Boſton Neck, which endangered the lives, liberty, and property of the people of Boſton, and of the whole province. They therefore entreated him, by his regard for the king's honour, the dignity of the empire, and the public peace and welfare, to deſiſt from the conſtruction of the fortreſs at the entrance of the town, and reſtore that paſs to its natural ſtate.

His anſwer.

To this addreſs, the general, although averſe to a correſpondence with an illegal aſſembly, anſwered in indignant terms: he ſaid, the lives, liberty, or property of none but avowed enemies could be in danger from the troops of Britain, who could never harbour the black deſign of wantonly enſlaving or deſtroying any people; in fact they had ſhown no diſpoſition to hoſtility, though they might be expected to feel reſentment at the exertions uſed to deprive them even of the neceſſaries of life. He reminded the ſelf-conſtituted congreſs, that while they affectedly complained of alterations in the charter, their very meeting was a direct violation of their own conſtitution; and admoniſhed them to deſiſt from ſuch illegal and unconſtitutional proceedings.

Their further proceedings.

NOT intimidated however, by this meſſage, they proceeded to adopt the meaſures ſuggeſted by the Suffolk meeting. Finding their recommendations attended with the effect of laws, they iſſued them on the

moſt

moſt important ſubjects: they ſettled the militia, arranged means for providing arms, and ordered the receipt of taxes, and the retention of them, in the hands of ſheriffs and collectors. They alſo appointed a day of public thankſgiving to the Almighty for the union which ſo remarkably prevailed in all the colonies [c].

10th Nov. Gage's proclamation againſt them.

SUCH proceedings aroufed the governor, who iſſued a proclamation, cautioning the people againſt paying obedience, or affording ſanction to the requiſitions, recommendations, directions, or reſolves of an unlawful aſſembly, whoſe proceedings were cenſured as highly ſeditious, and approximating to treaſon and rebellion. But the governor's proclamation, as on former occaſions, was contemned, and the recommendations univerſally obeyed. The congreſs, at length, diſſolved themſelves, having appointed the enſuing February for a new meeting.

5th Sept. Sitting of the general congreſs at Philadelphia.

THE congreſs of Maſſachuſet's Bay received a new impulſe, and frequent advice from the continental congreſs, which was ſitting at Philadelphia. It muſt have been a great triumph to the projector of correſponding committees to obſerve the unanimity with which this meaſure was received and ſanctioned. No longer did America exhibit the appearance of rival colonies, piquing themſelves on ſeparate rights, and boaſting the relative advantages of different charters, and different conſtitutions; all ſuch ſentiments were buried in oblivion: the ſame grievances, though not felt by all, were complained of by all; and the ſame remedy, without apparent previous communication, was generally recurred to, with the only difference of more or leſs violence according to the genius of the people, or the temper of the favourite leaders. Georgia alone refuſed to ſend delegates: all the other colonies deputed various numbers of members, nine being the greateſt, and two the ſmalleſt repreſentation; they were qua-

Its formation.

[c] This thankſgiving was celebrated the 15th day of December following.

CHAP. VIII. 1774.

lified in various modes, some by the provincial assemblies, some by town-meetings, and some by the committees of correspondence. In Rhode Island the election was ratified by the governor. The whole number who attended congress was fifty-six. The inequality of representation was remedied in the manner of voting, as each colony had one suffrage only in the decision of every question; although the representatives of each colony separately declared, by the enumeration of a majority, on which side that vote should be recorded. This regulation had subsequently the effect of giving an appearance of unanimity to the proceedings. The precaution was also adopted of debating in private, with the doors carefully locked and guarded; thus the people being prevented from ever attaining a knowledge of the arguments by which any measure was combated or sustained, the results were received as the abstracts of wisdom and union, and hailed with the veneration due to oracular edicts.

Mode of voting.

Secrecy in debate.

Some of the votes or instructions to deputies, which were read as credentials at the first sitting of congress, were conceived in loose and general terms, and empowered the deputies to consult and advise on proper measures for advancing the *best good* of the colonies; but in general they specifically enjoined an attention to the redress of certain express grievances, and the renewal and maintenance of the connexion and amity with Great Britain, so essential to the interests of both. Under these restraints, speculations of a different tendency could not be promulgated till the public mind was further prepared, and therefore, in all proceedings, a formal acknowledgment was made of the supremacy of the mother-country, and the subjection of the colonies, although, by subsequent definitions and restrictions, the power of the one and the submission of the other were reduced to mere names.

Terms of instructions.

After appointing officers, and establishing committees, they took into consideration the proceedings of

10th Sept. The congress approve the

of the Suffolk meeting, their reſolutions, recommendations, and addreſs to the governor; of all which they expreſſed the higheſt approbation, and recommended them to general adoption, as the means of carrying ſuch conviction to the Britiſh nation of the unwiſe, unjuſt, and ruinous policy of adminiſtration, as would quickly introduce better men and wiſer meaſures. They approved of the oppoſition to the late acts of parliament, declared that in caſe of an attempt to carry them into execution by force, all America ought to ſupport the people of Maſſachuſet's Bay, and recommended a continuance of the ſubſcriptions for relief of the inhabitants of Boſton. They afterward requeſted the merchants and all other perſons in the various colonies, to tranſmit no new orders for goods to Great Britain, but to countermand or ſuſpend thoſe already iſſued; and formed reſolutions for diſcontinuing, after the firſt of December, the importation and uſe of all goods from Great Britain and Ireland, and for the ceſſation of all exports to thoſe countries and to the Weſt Indies after the tenth of September 1775; and they declared the ſeizure of any perſon, for the purpoſe of tranſporting him beyond the ſea, to be tried for an offence committed in America, contrary to law; it would juſtify, and ought to meet with, reſiſtance and repriſal.

CHAP. XXIII.

1774.

Reſolutions of the Suffolk meeting.

Further recommendations. 22d Sept.

27th.

30th.

MEANWHILE the committee, appointed for that purpoſe, had ſubmitted to congreſs a ſeries of reſolutions, forming a DECLARATION OF RIGHTS, which were adopted, and publiſhed by authority. They were prefaced by an enumeration of grievances ſince the termination of the laſt war, among which were cited the declaratory act, eſtabliſhing the right of Great Britain to bind America in all caſes whatever; the impoſition of taxes for the purpoſe of raiſing a revenue; the eſtabliſhment of a board of commiſſioners; the extention of the admiralty juriſdiction; the alteration of the eſtabliſhment of judges; the revival of the obſolete ſtatute of Henry VIII.; the

Declaration of rights. 14th Oct.

CHAP. XXIII. 1774.

three acts of the late ſeſſion relative to Maſſachuſet's Bay, and that for eſtabliſhing the government of Quebec; the diſſolution of aſſemblies, and the diſregard ſhown by miniſters to petitions for redreſs. Under theſe circumſtances, the *good people* of the twelve colonies juſtly alarmed at the arbitrary proceedings of parliament and adminiſtration, had appointed deputies to a general congreſs, in order to obtain ſuch an eſtabliſhment as would ſecure their religion, laws, and liberties from ſubverſion. Therefore the deputies did, in the firſt place (as Engliſhmen, their anceſtors, had uſually done in like caſes) form a declaration, for the purpoſe of aſſerting and vindicating their rights and liberties.

THEY claimed their RIGHTS as founded on the immutable laws of nature, the principles of the Engliſh conſtitution, and their ſeveral charters or compacts. From theſe latitudinarian and incongruous ſources, they principally aſſumed for themſelves an abſolute title to life, liberty, and property, which no ſovereign power could diſpoſe of without their conſent. Their anceſtors, they ſaid, poſſeſſed, and had not forfeited by emigration, all the rights, liberties, and immunities of Engliſhmen, and their deſcendants were therefore entitled to them, ſo far as circumſtances would admit. The foundation of all free government being a right to participate in a legiſlative council, and the circumſtances of America rendering it impoſſible for them to be repreſented in the Britiſh parliament, they claimed a right to free legiſlation in all caſes of taxation and internal polity, ſubject only to the king's negative: they were willing, however, to conſent to the operation of Britiſh acts of parliament, *bona fide* reſtricted to the regulation of commerce, but excluding every idea of taxation, internal or external. The reſpective colonies were entitled to the common law of England, and to the benefit of all ſtatutes which exiſted at the time of their coloniza tion, and particularly to the ineſtimable privilege of a trial by their

peers,

peers, and in their own vicinage. They were alſo entitled to all the immunities and privileges granted by their charters, and ſecured by the provincial laws. They had a right to aſſemble to conſider of their grievances; and all proſecutions, prohibitory proclamations, and commitments, on that account, were illegal, as was the keeping a ſtanding army in any of the colonies in time of peace, without conſent of the people. And finally, the exerciſe of legiſlative power in ſeveral colonies, by a council appointed during pleaſure by the crown, was declared unconſtitutional, dangerous, and deſtructive to the freedom of American legiſlation. Theſe rights, they aſſerted, could not be legally taken from them, altered, or abridged, by any power whatever, without their own conſent, by their repreſentatives in their ſeveral provincial legiſlatures. Then recapitulating their grievances, to which they could no longer ſubmit, they declared their adoption of the preſent meaſures to be founded on the hope that their fellow-ſubjects in Great Britain would reſtore the Americans to that ſtate in which both countries had found happineſs and proſperity.

Non-conſumption aſſociation.

THEIR firſt propoſition was an aſſociation or agreement againſt importation or conſumption of any articles of Britiſh commerce, and againſt the exportation of their own produce to Great Britain, Ireland, or the Weſt Indies, *except rice to Europe*. A committee was to be choſen in each colony, to ſuperintend the execution of the agreement, and the committees of correſpondence were directed frequently to inſpect the entries of the cuſtom-houſes, for the purpoſe of informing againſt ſuch merchants as violated the aſſociation, with whom the congreſs, for themſelves and their conſtituents (who were bound by their ſignature) agreed to have no commerce or intercourſe, but to conſider them unworthy the rights of freemen, and inimical to the liberties of their country. The agreement was to continue in force till the repeal of *all* the acts of parliament which conſtituted their grievances;

CHAP. XXIII. 1774.

but ſome of the articles would in their effect be perpetual, particularly that for encouraging the growth of wool, and one for abolishing the ſlave-trade.

21ſt Oct. Addreſs to the people of Great Britain.

ANOTHER of their meaſures was to addreſs the people of Great Britain; thoſe of their own colonies, and of Canada ſeparately. In each of theſe productions great artifice was uſed in directing appeals to feeling and prejudice, and in citing ſuch circumſtances as were calculated, through hope or fear, to gain adherents to their cauſe. The people of Great Britain were reminded of the ſtruggles maintained by their anceſtors in the cauſe of liberty, and told that the project of miniſters in endeavouring to enſlave the Americans, derived from the ſame ſtock, tended only to the more eaſy introduction of ſlavery at home. They claimed a participation of Britiſh rights, and flattered the national pride, by affecting to make the freedom of Engliſhmen the model and ſcope of their wiſhes. They recapitulated their ſervices in the former war, and proceedings of parliament ſince that time, extenuating the plunder of the tea ſhips, which they deſcribed as a perſonal, not a public affair, the remedy of which ought to have been ſought by the ſufferers in the courts of law, without an appeal to parliament. They endeavoured to excite national indignation againſt the late acts, and directed the ſevereſt invectives againſt the new ſyſtem in Quebec, as being intended to overthrow the liberties of the Britiſh colonies by a vaſt influx of Catholics, ſwelled by emigrations from Europe. "We cannot ſuppreſs our aſtoniſhment," they ſay, "that a Britiſh parliament ſhould ever conſent to eſtabliſh a religion which has deluged your iſland in blood, and diſperſed impiety, bigotry, perſecution, murder, and rebellion, through every part of the world." Declaring that the view of miniſters in endeavouring to tax America at pleaſure, was merely to draw ſuch immenſe ſums into the royal coffers as would render the king independent of parliament, and that a ſucceſsful conteſt would be attended with

no

no other conſequence; they demanded, as the means of reſtoring harmony, to be placed in the ſame ſituation they were at the cloſe of the laſt war. CHAP. XXIII.

1774.

THE addreſs to the coloniſts contained a recapitulation of all the acts of the Britiſh government, againſt which exceptions were taken; a review of the conduct of the American governors; a vindication of the proceedings at New York and Boſton; and a general rehearſal of late grievances. The act for the government of Quebec was ſtigmatized, and every political and religious prejudice invoked againſt it. From this detail, as well as from *authentic intelligence received*, the congreſs inferred, as an indubitable poſition, that a reſolution was formed, and then carrying into execution, to extinguiſh the freedom of the colonies by ſubjecting them to a deſpotic government. Though the ſtate of affairs, they proceeded to obſerve, would juſtify *other meaſures*, yet weighty reaſons induced the preference of thoſe they had adopted. Then recapitulating the reſolutions they had taken, they enforced the neceſſity of obſerving them, and frequently alluded to the probability of forcible reſiſtance, adviſing the people to extend their views to the moſt unhappy events, and to be prepared for every contingency. The addreſs concluded in the genuine ſtyle of puritanical cant, by an earneſt entreaty that the people would, above all things, with devotion of ſpirit, penitence of heart, and amendment of life, humble themſelves, and implore the favour of Almighty God, whoſe divine goodneſs was fervently beſought to take them into his gracious protection. Addreſs to the colonies.

AFTER the abuſe laviſhed in the foregoing addreſſes on the Canadians, and the malevolence employed in raiſing prejudices againſt their religion and laws, it appears ſurpriſing to find them invoked as friends and fellow citizens to join the colonies, and ſend deputies to the next congreſs. They were told that the conſtitution beſtowed on them by parliament was a violation of the king's promiſe at the peace; that Britiſh rights Addreſs to the people of Quebec. 26th Oct.

CHAP. XXIII. 1774.

ought to have been in juſtice ſubſtituted for Gallic juriſprudence. Liberty of conſcience in religion was ſtated to be a right of nature, for which they were not obliged to the act of parliament; for if laws divine and human could ſecure it againſt the deſpotic attacks of wicked men, it was ſecure before. Theſe principles were enforced by artful citations from foreign writers, particularly Monteſquieu and Beccaria, and recommended by inſidious appeals to the love of glory, ſo prevalent in the French character. On an union with the other colonies, the people of Quebec were told, would depend the alternative of being governed and protected by juſt and equitable laws, or ſubjected to all the evils of the Engliſh conſtitution, and French government: theſe were enumerated in formidable array; the inquiſition and the exciſe; partial judges, and arbitrary governors; privileges and immunities dependent on the ſmiles or frowns of a miniſter, *lettres de cachet*, jails, dungeons, and oppreſſive ſervice; all theſe were d played as the apparatus of a government no leſs abſolute than that of the deſpots of Aſia or Africa.

26th Oct. Petition to the king.

THE petition to the king, after enumerating all their grievances, ſome of which were of a ſpecific, others of a general nature, preſumed, that to a ſovereign who "gloried in the name of Briton," the bare recital muſt juſtify the loyal ſubjects who fled to the foot of his throne, and implored his clemency for protection. They attributed all the diſtreſſes, dangers, fears, and jealouſies, which overwhelmed the colonies with affliction, to the deſtructive ſyſtem of colonial adminiſtration, adopted ſince the concluſion of the war. "Had our Creator," they ſaid, "been pleaſed to give us exiſtence in a land of ſlavery, the ſenſe of our condition might have been mitigated by ignorance and habit. But thanks be to his adorable goodneſs, we were born the heirs of freedom, and ever enjoyed our right under the auſpices of your royal anceſtors, whoſe family was ſeated on the Britiſh throne to reſcue and ſecure a pious and gallant nation from the popery and

deſpotiſm

deſpotiſm of a ſuperſtitious and inexorable tyrant." Feeling as men, and thinking as they did, ſilence would be diſloyalty, and as the king enjoyed the ſignal diſtinction of reigning over freemen, the language of freemen could not be diſpleaſing, but his indignation would rather fall on thoſe deſigning and dangerous men who daringly interpoſed between him and his faithful ſubjects, and who for ſeveral years paſt had been inceſſantly employed in diſſolving the bonds of ſociety, abuſing his majeſty's authority, proſecuting the moſt dangerous and irritating projects of oppreſſion, and accumulating on the petitioners injuries too ſevere to be any longer tolerable. Such ſentiments, they ſaid, were extorted from hearts that would much rather bleed in the king's ſervice. The charges of the adminiſtration of juſtice, and the ſupport of civil government, they ſaid, had been always ſufficiently provided for; the conſtitutional militias were adequate to the protection of the colonies in time of peace, and in war they would always be willing, when conſtitutionally required, to make ſtrenuous efforts in granting ſupplies and raiſing forces; theſe proofs of attachment were equally honourable to the prince who received, and the people who tendered them; the petitioners prized the privilege of ſo expreſſing their attachment too highly ever to reſign it to any body of men on earth, and doubted not that the purity of their intention, and the integrity of their conduct, would juſtify them at that grand tribunal before which all mankind muſt ſubmit to judgment. They aſked only for peace, liberty, and ſafety; not deſiring a diminution of the prerogative, or the grant of a new right: the royal authority over them, and the connexion with Great Britain, they would always carefully and zealouſly ſupport and maintain. They preſented their petition only to obtain redreſs of grievances, and relief from fears and jealouſies, occaſioned by a ſyſtem of ſtatutes and regulations adopted ſince the war, which they enumerated by recapitulating all the acts affect-

CHAP. XXIII. 1774.

ing America, and then, appealing to that Being who ſearches thoroughly the hearts of his creatures, ſolemnly profeſſed that their councils had been influenced by no other motive than a dread of impending deſtruction.

Inſtructions to their agents.

THIS petition was tranſmitted to the colonial agents, with inſtructions, after delivering it into the king's hands, to make it public through the preſs, together with their liſt of grievances, and to circulate as early as poſſible their addreſs to the people, through all the trading cities and manufacturing towns.

26th Oct. Diſſolution.

AFTER theſe proceedings they diſſolved, having firſt paſſed a reſolution for convening a new congreſs on the tenth of May.

Obſervations on their proceedings.

THE acts of congreſs and the general tenor of their determinations, evidently indicated that a plan of hoſtility and ſeparation from the mother-country was profoundly meditated, and unremittingly purſued by thoſe who poſſeſſed the greateſt influence, and whoſe exertions gave a colour to all the proceedings. Moſt of the reſolutions adopted, and the general purport, as well as many marked expreſſions, in the aſſociation, addreſſes, and petitions, pointed decidedly to reſiſtance and independence: even the ſtudious and laboured manner in which thoſe views were verbally renounced, while they were really purſued, contributes to enforce a conviction that the expreſſions of loyalty and ſubmiſſion were intended only to conceal ſentiments diametrically oppoſite. Fettered as ſome of the members of the congreſs were by the inſtructions of their conſtituents, many of which enjoined them to purſue none but proper, prudent, and lawful meaſures, they could not openly advance their claims, and were therefore obliged to aſſume ſuch a mode of conduct as would ſecure the greateſt ſhare of popularity, and diffuſe the ſmalleſt portion of alarm. Even in the boſom of the congreſs that unanimity did not prevail which is indicated in the publication of their proceedings: the plans recommended by ſome of the demagogues

CHAP. XXIII. 1774.

gogues were too violent, and the principles advanced in their ſupport too daring to be adopted by all the members; hence it frequently appears on the journals that ſtrenuous debates were maintained; queſtions adjourned, and reports recommitted: the effect of theſe diſagreements was, however, prevented from reaching the public, by an artifice of the leaders of the republican party, who, before any buſineſs was proceeded on, perſuaded the other members to bind themſelves in an agreement that their names ſhould be ſubſcribed to whatever might be decided by a majority, and to enter no proteſt or diſſent on the minutes [d]. Two parties were formed at the beginning of the ſittings: the one, conſiſting of men of loyal principles, and poſſeſſed of conſiderable fortunes, who had no intention but that of candidly and clearly defining American rights and charters, and explicitly and dutifully petitioning for redreſs of grievances; theſe meaning to do only ſuch things as were reaſonable and juſt, were open and ingenuous. The other party, compoſed of congregational and preſbyterian repreſentatives, men of bankrupt fortunes, and overwhelmed in debt to Britiſh merchants, were deſirous to throw off all ſubordination to, and connexion with Great Britain; they endeavoured, by fiction, falſehood, and fraud, to delude the people from their allegiance, to reduce government to a ſtate of anarchy, and incite the ignorant and vulgar to arms, for the purpoſe of eſtabliſhing independence: theſe men were ſecret and hypocritical, and eſſayed every art to conceal their intentions. Theſe parties held each other in check for ſome time; but at length the demagogues triumphed; the laſſitude attending a perpetual ſyſtem of defence,

[d] The exception of rice in the aſſociation is an inſtance of the addreſs of the leaders of congreſs in managing individual intereſts, and ſuppreſſing oppoſition. The article was at firſt framed without any exception, but the delegates from Carolina inſiſting that their conſtituents would be ruined, and threatening to abſent themſelves unleſs a modification were deviſed, or aſſented the inſidious interpolation of the words except rice *to Europe*, in an agreement forbidding exports to Great Britain and Ireland.

and

CHAP. XXIII. 1774.

and the unwillingneſs continually to impute principles which were conſtantly denied, diminiſhed the alertneſs of their opponents, while the temper infuſed into the populace, the frequent meſſages from the provincial congreſs of Maſſachuſet's Bay, and the examples daily exhibited, of tarring and feathering obnoxious perſons, gave additional ſpirit to the violent, and increaſed the timidity of the moderate.

THESE differences of opinion, and neceſſities of conciliation, account for ſome incongruities in the proceedings. The declaration of rights is a ſtrong inſtance; it is founded at once on the laws of nature, thoſe of ſociety, and royal charters; profeſſes at once a duty of obedience, and right of ſelf-government; avows a dependence on Britiſh acts of parliament, to the period of the colonization of America, yet denies the right of the mother-country to a ſubſequent power of legiſlation. It would reſult from theſe principles, that colonies planted at different periods were ſubjects in different degrees, and that the parliament of Great Britain, repealing one of the ancient ſtatutes, could not give force to the repeal in America, without ſeparately conſulting each of the governments. The charters were appealed to as the baſis of rights, and yet ſuch of them as appointed an independent legiſlative council were to be abrogated as derogatory to the rights of nature. The petition to the king was merely an inſidious mockery; the profeſſions of loyalty were not calculated to give the ſovereign aſſurances of peaceable domination, but to vindicate the petitioners from well-merited charges of diſaffection, without renouncing the mode of conduct by which thoſe charges were incurred. The addreſs to the people of America breathes a ſpirit of hoſtility and reſiſtance alone; that to the Canadians diſcovers the deepeſt and moſt inveterate malignity againſt Great Britain, and is replete with mean artifices to cajole the people into diſaffection: the appeal to the people of Great Britain is of the ſame order, tending to diſſeminate alarms

alarms and jealouſies, and create, by means of terror, intereſt, or policy, a party favourable to the American cauſe. Their committees were always compoſed of the moſt fiery republicans, which may account for the extent and preſumption of ſome of their claims, ſuch as thoſe of repealing all the acts made to affect them ſince the peace, of inſiſting on a change of miniſters, and of obtaining every demand without the leaſt conceſſion or promiſe of reparation for the wrong avowedly committed [e]. Yet whatever arts were uſed in conciliation, or whatever advantages gained in debate, the general congreſs ſeemed ſo little likely to gratify, in their utmoſt extent, the wiſhes of the leaders, that it was on the point of ſeparating without paſſing a reſolution to re-aſſemble, until Silas Deane, one of the members for Connecticut, without previous communication, introduced the propoſition [f].

1774.

Effects of the congreſs.

AFTER the ſeparation of congreſs, the middle and ſouthern colonies, where inſubordination had before made but little progreſs, appeared actuated by the ſame ſpirit as the inhabitants of New England. The intention of military reſiſtance was openly avowed and cheriſhed; the militia were aſſiduouſly drilled, and arms were provided with great induſtry and perſeverance. On the information of the different governors, the miniſtry found it neceſſary to iſſue a proclamation, forbidding the export of warlike ſtores; but this prohibition produced only a greater degree of eagerneſs, and ſome riots. Mills and manufactories were eſtabliſhed for the ſtructure of arms and compoſition of gun-powder, and premiums were offered for the production of ſalt-petre.

Royal proclamation.

ON the proclamation reaching Rhode Iſland, forty pieces of cannon belonging to the crown were ſeized,

Inſurrection at Rhode Iſland.

[e] This account is derived from the journal of proceedings of congreſs, and extracts from the votes, &c. Philadelphia, printed; re-printed by Almon, London, 1775. Alſo from ſeveral tracts, both American and Engliſh, particularly, "What think ye of the Congreſs now?"—Galloway's tracts—and Tucker's fifth tract on American ſubjects.

[f] From private information, by one who had the fact from Silas Deane.

with

CHAP. XXIII. 1774.

with the avowed intention of preventing them from falling into the hands of the king's troops, and the declaration was accompanied with a threat of reſiſtance, ſhould the recovery be attempted. The aſſembly of the province ſanctioned theſe proceedings, by paſſing reſolutions for procuring, at the public expence, arms and military ſtores, and for training the militia.

24th Dec. And in New Hampſhire.

THE proclamation alſo occaſioned an inſurrection in New Hampſhire, where a number of armed men ſurprized a ſmall fort, called William and Mary, impriſoned the garriſon, conſiſting only of an officer and five men, and did not releaſe them till they obtained poſſeſſion of the ordnance, gun-powder, and military ſtores [g].

[g] In this chapter, reference has been had to the papers laid before parliament, the periodical publications, Almon's collections of papers, and Remembrancer; Stedman, Andrews, and Ramſay; the hiſtory of lord North's adminiſtration, and a great variety of tracts and pamphlets.

## CHAPTER THE TWENTY-FOURTH.

1774.

*View of government and oppoſition.—Independency the real aim of the Americans.—Effect of correſponding committees.—Of the proceedings in Maſſachuſet's Bay.—Of the acquiſition of Canada.—Of the proceedings of congreſs.—Of the efforts of oppoſition.—Of the acts of laſt ſeſſion.—Of the debates on them.—Error of conſidering the tax on tea the real cauſe of diſturbances.—Firſt effects of the Boſton port act.—Publications in England.—Irreſolution of miniſtry.—Diſſolution of parliament.—Teſts propoſed—Characters of leading men:—the lord Chancellor—lord Mansfield—lord Sandwich—lord Hillſborough—lord Gower—lord Dartmouth.—Lords in oppoſition: lord Chatham—the marquis of Rockingham—the duke of Richmond—lord Shelburne—lord Camden—the dukes of Devonſhire and Portland.—Principal members of the lower houſe:—Mr. Rigby—Sir Gilbert Elliott—Sir Grey Cooper—Mr. Dundas—Mr. Jenkinſon—Mr. Thurlow—Mr. Wedderburne.—Oppoſition:—Serjeant Glynn—Mr. Dunning—Sir George Savile—Mr. Burke—Mr. Charles Fox.*

CHAP. XXIV.

1774.

As we are now entering on the period when Great Britain was about to commence a ſevere and arduous conteſt, it will be proper briefly to review the motives and principles of action on each ſide; to conſider the means of information which government poſſeſſed, or might have obtained; to examine the theories and arguments of oppoſition, and to delineate the chief political characters who ſupported and oppugned the meaſures of adminiſtration.

View of government and oppoſition.

The thin veil with which the Americans covered their deſigns rendered only a ſmall degree of penetration neceſſary to diſcover that abſolute independence was the aim of the principal leaders; that they contemplated a revolution as a glorious era, and were prepared rather to plunge their country into the hor-

The Americans' real aim, independency.

CHAP. XXIV. 1774.

rors of civil war than renounce their favourite project. Hence their complaints of grievances were clamorous, frequent, and ſpecific; while their profeſſions of attachment and loyalty were merely general, and attended with no preciſe offers of conciliation or ſatisfaction. The range of complaint compriſed in their late petitions and addreſſes, extended beyond the poſſible hope of royal interpoſition or parliamentary redreſs: no body of men who had formed or ſupported any adminiſtration ſince 1764, eſcaped cenſure; nor could any party attempt conciliation, without dereliction of ſome principle, or the eſtabliſhment of ſome claim derogatory to the intereſt and honour of the country. Nor was cordial conciliation probable on any terms; the hour of ſeparation from the dominion of the parent land was anticipated with anxiety. America, flattered by political prophets, proud of her ſtrength, her extenſive domain, her wealth and population, (undoubtedly increaſing, though greatly exaggerated by the demagogues,) and fluſhed with eager hope of augmenting her ſubjects by immenſe emigrations from Europe, bore with impatience the yoke of ſubjection, and made ſtrenuous exertions to accelerate the period of emancipation.

Efforts of correſponding committees.

THE union, effected among the colonies, by means of corrèſponding committees, was a death-blow to the authority of Britain; the Americans were ſenſible of the advantage, and as ſoon as the co-operation of all parts of the continent was enſured, advanced bolder claims, diffuſed broader principles of government, and aſſumed with leſs diſguiſe the port and mien of defiance. The references made in their declaration to the rights of nature, the intimation that like their anceſtors they proceeded before the adoption of other meaſures, to ſtate their grievances and their rights, and their frequent exhortations to arms, all prove that plans of revolution and reſiſtance were already meditated and digeſted. Motives of common ſafety, when they had once aſſumed an hoſtile poſition, cemented

the

the jarring intereſts of the colonies, and for the time ſubdued their inveterate jealouſies. CHAP. XXIV.

1774.

THE proceedings in the different provinces, eſpecially Maſſachuſet's Bay, before the meeting of congreſs, were calculated to alarm the government of Great Britain. Already had the legiſlators avowed that they knew of no authority in the mother-country to collect a revenue, and that ſubmiſſion to acts of parliament made in England, was an inadvertence which ought to be corrected: theſe pretenſions had been ſupported by violence, tumult, and defiance; nor did meaſures of ſeverity produce the deſired effect; reſiſtance only became more general, and the cauſe of government more hopeleſs. Of the proceedings in Maſſachuſet's Bay.

A CONTEST with the colonies could not be advantageous to Great Britain; a failure in the ultimate object would be attended with great loſs and diſgrace, and ſucceſs would only produce diſaſters and damages in a valued member of the empire, which muſt, in the event of a pacification, be repaid to the injury of the whole body. By acquiring the dominion of Canada, Great Britain, in fact, promoted the American revolution; ſo many ſubjects, animated with a ſpirit of independence, feeling their own force, and exempt from every fear, would not be reſtrained by a diſtant power, whoſe protection they no longer needed, and whoſe ſway they regarded as tyrannical. Of the acquiſition of Canada.

THE ſpirit of the Britiſh conſtitution is unfavourable to thoſe ſtrong and prompt meaſures which could ſuddenly check and prevent impending revolution. Had the government been deſpotic, and the beheſts of the ſovereign the only rule of law, the Americans might have been retained in ſubjection; but while their complaints and petitions were daily diſcuſſed in every form, and in all ſocieties, while their agents were occupied in every part of the kingdom in conciliating the people to their pretenſions, their cauſe could never fail in gaining partizans. The boldneſs of a claim to liberty always finds admirers and advocates in England; Of the proceedings of Congreſs.

CHAP. XXIV. 1774.

land; the recollection of their own ſtruggles excites ſympathy in Britiſh boſoms, and a ſimilar conteſt, however unjuſtly commenced, or iniquitouſly purſued, will be ſecure of adherents. Many of their complaints were not devoid of plauſibility, and many of their pretenſions were well founded in abſtract theory, however repugnant the whole maſs of their claims might be to any practical ſyſtem. The extent of diſaffection, and progreſs of reſiſtance, rendered inevitable ſome meaſures, the complaints againſt which could be ſupported by arguments drawn from the fundamental principles of the Britiſh conſtitution. Miniſters who, at ſuch a criſis, ſhould neglect ſtrong meaſures, would be liable to reprehenſion: but it muſt ever afford cauſe of regret, when the turbulence and violence of the times render any deviation from thoſe principles, abſolutely neceſſary for the maintenance of order and government.

Of the efforts of oppoſition.

THE efforts of oppoſition in the late ſeſſion of parliament did not benefit the American cauſe ſo much in England as in America; the adducing of arguments in their favour in the very ſenate of the country, whoſe intereſt was ſuppoſed to conſiſt in oppoſing them, gave new animation to their partizans. Yet the efforts of oppoſition were not calculated to amend, if it was erroneous, the conduct of the miniſter. The ſyſtem of parliamentary oppoſition is generally, with juſtice, deemed a conteſt for power, in which members, for the ſake of diſtreſſing the miniſtry, and acquiring popularity, will aſſume a latitude in diſcuſſion, and avow principles which do not form the baſis of practical government. Their advice is never taken as ſincerely intended for the advantage of the miniſter, but as an attempt to render his proceedings odious, by ſhowing that they might have been more wiſe and juſt.

Of the acts of laſt ſeſſion.

THE general concurrence with which the Boſton port act was paſſed, and the animated declarations by ſeveral members of oppoſition, that ſevere meaſures of caſtigation

caſtigation were neceſſary againſt that town, were calculated, though perhaps not intended, to miſlead the miniſter. In vain would that meaſure have been ſanctioned, if the charter, the ſource of all the diſorders, was left unaltered, or if men diſpoſed to exert themſelves in the cauſe of government, were delivered up unprotected to the fury of thoſe who conceived themſelves aggrieved. Thus the two other bills became indiſpenſable; and the oppoſition to their progreſs muſt have been regarded as a ſurprize, or more probably a party manœuvre, as the petitions to parliament, and the proteſts of the lords, appeared written with a ſyſtematic concurrence of ſentiment in decrying every meaſure relative to America ſince the ſtamp act was repealed, and the declaratory law enacted, and promiſing the reſtoration of tranquillity if the ſame meaſures were again purſued. But if theſe politicians were ſincere in their expectations, how muſt they have been aſtoniſhed when the congreſs declared their right to an exemption from all acts paſſed ſince their colonization? How diſconcerted when, in the enumeration of grievances, the declaratory act ſtood prominent on the liſt, and was aſſailed with great aſperity?

Of the debates on them.

PROPHECIES of reſiſtance, when made in general terms, were not entitled to more credit than thoſe of ſubmiſſion, if certain relief were granted; that of Governor Pownall [a], which diſplayed the means and meaſures of American oppoſition, is remarkable for its truth in detail, but contains no principle by which government could aſcertain its correctneſs, nor any mark by which it could be diſtinguiſhed from an imperfect information of certain facts, and a diſpoſition to prognoſticate what the prophet rather wiſhed than expected. All members acquainted with America, whether adherents of miniſtry or oppoſition, agreed

[a] See page 90 of this volume.

CHAP. XXIV. 1774.

that no native military force could reſiſt the troops of Britain. This would have been an impolitic and cowardly move for urging hoſtilities, but was ſurely a good ground for concluding that a deſperate and impolitic oppoſition to legal authority would not be maintained with perſeverance. The unimportance of the ſuppoſed cauſe of conteſt, and the certainty expreſſed by lord North, that, on a ſhow of ſubmiſſion, conciliatory meaſures would be adopted, muſt alſo have contributed to impreſs a belief that the Americans would not riſk a conflict ſo deſperate and unequal.

Error of conſidering the tax on tea the real cauſe of diſturbances.

It was a great error both in miniſtry and oppoſition to regard the tea tax as the cauſe of the American diſturbances; it was indeed the point on which the conteſt with Great Britain was to be raiſed; but not the repeal of that tax, or any other meaſure, ſave ſuch a general ſyſtem as would leave to the mother-country only a nominal ſovereignty, would have reſtored tranquillity. In their demands on government they avowed the full extent of this principle, and in marking the line of their voluntary ſubjection, reſerved a ground for future cavil, by declaring they would ſubmit only to ſuch acts as were *bona fide* intended for the regulation of their trade.

Firſt effects of the Boſton port act.

The information received from America for ſome time after paſſing the Boſton port act afforded the beſt hopes of its beneficial effects: the non-importation agreement recommended by the people of Boſton, was ſaid to be coldly received in ſome places, and rejected in others; but in proportion to the aſſiſtance they obtained, and the reſolution they expreſſed, their ſpirit diffuſed itſelf among the colonies, till the general congreſs completed the aſcendancy of diſaffection. Some of the governors gave hopes that the popular rage would cool; others appreciated more juſtly the effects of a contagious enthuſiaſm; and the governor of South Carolina, in particular, drew an alarming though juſt picture

picture of the consequences to be expected from the diffusive spirit of opposition [b].

CHAP. XXIV.

1774.

So important a crisis could not fail of calling forth great diversities of political opinion, which were detailed through the press, and formed the creeds of different parties. On one hand the supremacy of British authority, and the right to tax and coerce the colonies in every case were asserted; on the other it was affirmed, that from the moment men transplanted themselves from their native shores, and ceased to be represented in the senate of their country, the duty of obedience ceased; every act of sovereignty in the parent state was absolute tyranny, and ought to be resisted. These extreme doctrines were argued with great warmth, but little effect; their establishment would necessarily depend on other resources than mere words; and as the writers drew their materials from sources widely different, and reasoned from principles diametrically opposite, no medium could be imagined by which their opinions could be so reconciled as to form a guide to peace without dereliction of national honour, and what had ever been considered national property.

Publications in England.

The question, In what manner the exigency of the times should be encountered? occasioned more instruc-

[b] He said, "I observe with great concern, that this spirit of opposition to taxation, and its consequences, is so violent, and so universal throughout America, that I am apprehensive it will not be soon or easily appeased. The general voice speaks discontent, and sometimes in a tone of despair, as determined to stop all exports to, and imports from Great Britain, and even to silence the courts of law, foreseeing, but regardless of, the ruin that must attend themselves in that case; content to change a comfortable for a parsimonious life, to be satisfied with the few wants of nature, if by their sufferings they can bring Great Britain to feel.

"This is the language of the most violent, others think it is going too far; and the most violent too often prevail over the most moderate. When man shall in general lay aside the hopes of getting riches, and abandon the employments of agriculture, commerce, and mechanic labour, what turn their leisure time under such circumstances may take, I submit to your lordship's knowledge of history, and of the human mind. Such sudden and great changes in the manners of an extended thriving people, among whom the gazettes are filled with such variety of articles for luxury, is scarce credible, though possible; but the continuance of it very improbable. The first account of the result of congress at Philadelphia, may reach your lordship the beginning of November. I think it my duty to make this true and faithful representation of the disposition and temper of the people, however disagreeable it may appear, and to confide in the royal wisdom for the remedy." See governor Bull's Letter to the earl of Dartmouth, dated 8th July, 1774.

CHAP. XXIV. 1774.

tive and intereſting diſcuſſions. Thoſe who rather led than followed the Americans, in denying the authority of Great Britain, recommended abject and total ſubmiſſion on the part of the mother-country: they propoſed to withdraw the ſhips and troops from their ſhores, and owning their right to a ſeparate government, receive with humility at the hands of thoſe who were ſo lately conſidered as ſubjects, an amneſty for paſt wrongs, and a precarious friendſhip and conditional alliance in future.

THOSE who were more covert advocates of the cauſe of American independence, who affected to conſider taxation as the only grievance complained of, adviſed a complete abandonment of all views of revenue, and a reſtoration of the political relations of the two countries as they ſtood at the cloſe of the late war. This was the faſhionable doctrine of parliamentary oppoſition, and was recommended through the preſs, by ſentiments of peace and conciliation, and aſſurances of retaining the greateſt, and moſt eſſential ſource of Britiſh opulence. Some differences prevailed among theſe writers, reſpecting the meaſures to be adopted, if conciliatory efforts failed; all appeared to conſider the thunder of Britiſh vengeance as infallibly ſure to ſtrike to earth a contumacious ſpirit of reſiſtance; but few had the magnanimity, like lord Chatham, to record their opinion of its expediency, if required. The progreſs of events, in the courſe of the year, made it apparent, that no ſacrifices which Great Britain could make, leſs than an abſolute dereliction of all authority, would be attended with the deſired effect, and therefore the counſels of this claſs of reaſoners were daily in leſs repute, and conſidered as diſtempered ſpeculations.

ONE writer alone[a], well verſed in hiſtory, commerce, and politics, penetrated into the true queſtion in diſpute, and the probable reſults. He ſaw that

[a] Dr. Tucker, dean of Glouceſter.

the

the ſtruggle was in fact maintained for independence; a long war would be neceſſary to enable Great Britain to obtain her former aſcendancy; but the expenſe of ſuch a conteſt would more than countervail all the advantages to be derived from an enforced and ſullen ſubmiſſion, unaccompanied with cordial eſteem, or a real deſire to promote the intereſt of the mother-country. He eſtimated juſtly the natural and legiſlative right of Great Britain, and expoſed, in ſtriking colours, the fallacy of reaſoning by which American ingratitude and contumacy were vindicated. His advice was bold and deciſive; to avoid the expenſe and difficulties of protracted hoſtilities, and the dangers of ſpeculative diſcuſſions, by throwing off at once the connexion with America, giving her the independence ſhe coveted, and leaving her to defend, provide, legiſlate, and form alliances for herſelf. This project was no leſs wiſe than noble; but was utterly impracticable in a deliberative government like that of Britain, where reſponſibility is attached to advice, and where the people had been taught to affix ſo high a value on the American connexion. The moſt ambitious and daring of mankind would not have ventured to accept the ſituation of miniſter, on condition of enforcing ſuch a plan.

CHAP. XXIV 1774.

THE miniſtry were fully imbued with the opinions currently entertained, of the great importance of America[d]; and feeling, with juſt conſciouſneſs, the valour and reſources of the mother-country, were more ready to accede to the arguments of a fourth claſs of reaſoners, who recommended, that conceſſion on the part

[d] On this ſubject, lord Dartmouth, ſecretary of ſtate for the colonies, uſed the following expreſſions, in a letter to general Gage, dated 3d June, 1774. "The conſtitutional authority of this kingdom over its colonies muſt be vindicated, and its laws obeyed throughout the whole empire. Not only its dignity and reputation, but its power, nay, its very exiſtence depends upon the preſent moment; for ſhould thoſe ideas of independence, which ſome dangerous and ill-deſigning perſons here are artfully endeavouring to inſtil into the minds of the king's American ſubjects, once take root, that relation between this kingdom and its colonies, which is the bond of peace and power, will ſoon ceaſe to exiſt, and deſtruction muſt follow diſunion."

CHAP. XIV. 1774.

of America ſhould precede any effort at conciliation by Great Britain. If the ſocial compact between the two countries muſt be new-modelled, the mother-country ſhould have the privilege of diſpenſing her benevolence, and not be compelled reluctantly to concede extorted claims. Rather than be thus degraded, ſhe ought to aſſume all the terrors of indignation, reſtrain the factious, awe the turbulent, and puniſh the guilty.

Irreſolution of miniſtry.

THE neceſſity of recurring to arms was, however, regarded with alarm and extreme reluctance. Hence the miniſtry temporized till the ſpirit of faction had gained too great a height to be effectually ſuppreſſed, and diſcordant ſentiments, relative to the employment of force, or the trial of conciliatory methods prevailed even in the cabinet, palſied the vigour of government, and gave an air of indeciſion to all their proceedings. Their ſeverities conſequently failed to impart terror, and the Americans, inſtead of returning to their duty, cheerfully braved difficulties, and even courted hoſtilities.

30th Sept. Diſſolution of parliament. Teſts propoſed.

IN the courſe of the autumn the parliament was ſuddenly diſſolved.

BEFORE this event, teſts had been propoſed in many counties, cities, and boroughs, calculated to bind the repreſentatives to ſupport or reſiſt certain meaſures: this unconſtitutional and pernicious practice was not general, and was frequently rejected, even by thoſe candidates who might be ſuppoſed moſt anxious for popularity. Mr. Wilkes, who was elected to repreſent the county of Middleſex, at a meeting of freeholders, jointly with his colleague ſerjeant Glynn, propoſed and ſigned a teſt, containing moſt of the articles of the popular creed. Although the notices of election were extremely ſhort, the conteſts in many parts of the kingdom were maintained with great ſpirit and perſeverance; and many who had ſeats in the former parliament were rejected.

Characters of leading men.

THE houſe of lords contained, at this period, many members of diſtinguiſhed abilities, who ſupported the meaſures

measures of government. LORD APSLEY, afterwards earl of Bathurſt, filled the office of chancellor; he had paſſed through the labours of his profeſſion with reputation, holding ſucceſſively the poſts of ſolicitor and attorney-general to Frederick prince of Wales, and of attorney-general to the princeſs dowager: in 1754 he was made a judge of the court of common pleas, and in 1771 received the great ſeal, after being one of the commiſſioners from the death of Mr. Charles Yorke. His eloquence was clear and methodical, but his views of politics were not extenſive, nor his exertions in debate frequent, or eſſentially ſerviceable. CHAP. XXIV. 1774. The Lord chancellor.

WILLIAM EARL OF MANSFIELD, lord chief juſtice of the king's bench, had long maintained an unrivalled reputation as a lawyer, and an exalted character as a ſtateſman. He was perfectly acquainted with the hiſtory and conſtitution of England, verſed in the practice of its laws, and enlightened by all the information neceſſary to form a compariſon and connexion between them and the beſt of ancient and modern ſyſtems. He obtained a ſeat in the houſe of commons in 1742, when he was in his thirty-eighth year, his faculties no leſs matured by experience than improved by ſtudy. He commenced his parliamentary career as a ſupporter of lord Carteret's adminiſtration, which was vehemently oppoſed by Mr. Pitt, and his eloquence was no leſs celebrated in the ſenate than at the bar. His language was natural yet elegant, arranged with method, and applied with the utmoſt ingenuity; his images were often bold, always juſt; his eloquence flowing, perſpicuous, convincing, and impreſſive. He was endowed with a moſt retentive memory, which rendered his replies irreſiſtible, from the facility of repelling the arguments of his adverſaries, and expoſing their fallacy, weakneſs, or abſurdity. He affected no ſallies of imagination or burſts of paſſion, but made his appeal rather to the reaſon than the feelings, and did not, even when attacked, Lord Mansfield.

CHAP. XXIV. 1774.

tacked, condeſcend to perſonal abuſe or petulant altercation. His ſpeeches were characterized by acuteneſs, and recommended by clearneſs and candour; his reaſoning introducing itſelf ſo eaſily into the minds of his hearers, as to convey information and conviction: His manner was moderate and decent, not preſuming and dictatorial; but expreſſive of that dignity which, ariſing from ſuperiority, does not produce diſguſt. Though of low ſtature, his perſon was remarkable for eaſe and grace; he poſſeſſed a piercing eye, a voice finely toned; his action was at once elegant and dignified, and his countenance replete with fire and vivacity. He ſupported through life the utmoſt conſiſtency of political conduct, never courting popular applauſe, ſo much as the approbation of the wiſe and good, yet not intimidated by the appearance of danger, or the fury of party, from purſuing that conduct, or enforcing thoſe ſentiments which were dictated by his own conviction. Too mild to be the leader, too wiſe to be the dupe of any party, he was believed to ſpeak his own ſenſe of public meaſures. The houſe of lords paid greater deference to his authority than to that of any other individual; and he was frequently conſulted by the king. The perſpicacious eye of envy and jealouſy could not eſtabliſh a fault in his political conduct [e], and malignity was reduced to the miſerable reſource of extorting from his deſcent the means of indirect implication, imputing to him thoſe attachments and principles by which his relatives were influenced; but which he had not, in his juridical or ſenatorial capacity, ever adopted. Lord Mansfield was a conſpicuous and conſtant ſupporter of adminiſtration in the American conteſt: in 1766, he had delivered his opinions on the ſubject of Britiſh authority, and Ame-

[e] He was ſeverely attacked by Wilkes, Junius, Andrew Stuart, and others; but even when party rage was higheſt, their efforts produced only a clamour of the populace: men of ſound judgment, in every rank, and of all parties, have ſince concurred in acknowledging the futility of the accuſations.

rican

rican reſiſtance, in the houſe of lords [f], and the judgment he then profeſſed appears to have ſwayed him in every ſubſequent criſis [r].

Lord Sandwich.

THE EARL OF SANDWICH, firſt lord of the admiralty, was a veteran in parliamentary conteſt, and official employ, having, in 1739, taken his ſeat in the houſe of lords. He joined the duke of Bedford; in his oppoſition to Sir Robert Walpole, and continued with the duke in oppoſition to the ſucceeding adminiſtration. On the formation of the broad-bottom miniſtry in 1744, he was appointed a lord of the admiralty; and in 1746, plenipotentiary at the congreſs of Breda, in which character, in 1748, he ſigned the peace of Aix-la-Chapelle. On his return he was made firſt lord of the admiralty, and a privy councillor. He was removed in 1751, but regained an official ſituation in 1755, when he was conſtituted joint vice-treaſurer of Ireland. He reſigned his office in 1763, on being nominated embaſſador extraordinary to the court of Spain, but his perſonal ſervices were not exerted in that ſituation, and he was in 1763, re-appointed firſt lord of the admiralty. In the duke of Bedford's adminiſtration he held the ſeals of ſecretary of ſtate; on the diſſolution of that miniſtry, in 1765, was again out of office till 1768, when he became joint poſtmaſter-general; on the termination of the Grafton adminiſtration, in 1770, he received the ſeals of the home department, and in 1771, again became firſt lord of the admiralty. In all his official employments, lord Sandwich diſplayed great vigour and judgment, in introducing reform, economy, and activity. In the admiralty thoſe qualities were peculiarly required, as ſince the concluſion of the late war, great negligence

[f] "Proceed, then, my lords," he ſaid, "with ſpirit and firmneſs, and when you ſhall have eſtabliſhed your authority, it will then be time to ſhew your lenity." See Holliday's Life of Lord Mansfield.

[r] This delineation is derived from the characters of lord Mansfield, by biſhop Newton, Dr. Johnſon, biſhop of Worceſter, and various other authorities collected by Holliday, in his Life of Lord Mansfield, p. 456, et ſeq; and from private information.

had

CHAP. XXIV. 1774.

had prevailed, inſomuch that, at the period of the diſpute with Spain, reſpecting Falkland's Iſlands, it was much doubted whether the naval force of great Britain could cope with that of the Bourbon family. The good effects of lord Sandwich's exertions were perceptible in 1773, when the menaces of a Britiſh armament were ſufficient to deter France from engaging in the war between Ruſſia and the Porte; but the complete re-eſtabliſhment of a marine force, after a long period of indolence, negligence, and improvidence, accompanied with that parſimony, which incurs infinitely more expence than it avoids, was a taſk of great labour, and required time for its completion. The introduction of care and ſubordination in departments where waſte and diſregard of diſcipline had long prevailed, created many perſonal enemies, and none of the miniſtry experienced more ſevere and frequent attacks than the firſt lord of the admiralty. In debate he was rather able and intelligent, than brilliant and eloquent: his arguments were ſtrongly pointed, and his ſpeeches diſtinguiſhed for ſound ſenſe and appropriate knowledge. His unruffled temper gave him great advantages in the refutation of charges: and the houſe liſtened to him with great attention, from a conviction that he was not an obtruſive orator, but ſpoke only when he poſſeſſed eſſential and excluſive information[h].

Lord Hillſborough.

THE EARL OF HILLSBOROUGH, though no longer ſecretary of ſtate for the colonies, continued to give his advice and aſſiſtance to the miniſtry. He ſupported their proceedings with zeal, firmneſs, and ability: his experience made him a competent judge of the great topics of diſpute, and in debate, rendered ready and effectual ſervices.

Lord Gower.

THE meaſures of government were officially ſupported by EARL GOWER, lord preſident of the council, who obtained a ſeat in the houſe of commons, in

[h] Derived principally from memoirs of lord Sandwich, by the Rev. John Cooke, M. A.

1744,

1744, and ever since that period had been a distinguished member of the senate, and filled several offices of respectability; the EARL OF DARTMOUTH, secretary of state for the colonies, who chiefly confined himself to the details of office and explanations required in the course of debate, and for some time by the DUKE OF GRAFTON, lord privy seal. CHAP. XXIV. 1774. Lord Dartmouth.

THE opposition was formidable on account of acknowledged talent, and the popularity of many of its members.

THE EARL OF CHATHAM, seeming to acquire new vigour from the importance of the crisis, was indefatigable in exposing to censure the conduct of administration. His declining sun shone with meridian splendour, and never were his extraordinary faculties displayed with greater energy than during the American contest[1]. The popularity and success of his own administration; the regard due to his years and the integrity of his character, made him the most conspicuous of parliamentary speakers. His observations were repeated by the public with the profoundest veneration, and even his opponents in parliament frequently mollified their difference of sentiment, by a complimentary tribute to his character and abilities, and a sort of indirect apology for not coinciding in judgment with him. Lords in opposition. Lord Chatham.

WITH those who considered the taxation of America as the *sole* cause of the existing disputes, the MARQUIS OF ROCKINGHAM had the greatest claim to po- The marquis of Rockingham.

[1] The eloquence and manner of the earl of Chatham, are admirably characterized in an extract of a letter from Mr. Stillingfleet to Dr. Dampier, afterwards dean of Durham, which I did not receive till the chapter relating the event to which it refers, had passed through the press. London, November 17, 1761. "Mr. Aldworth was at the house last Friday. Pitt was greater than ever; he is a most wonderful man; I question whether there ever was so complete an orator since Demosthenes; every attitude, every action, every look, every tone of voice was a masterpiece, to say nothing of his words. It was perhaps the most ticklish and trying situation man could be in; yet he acquitted himself almost without censure. In short he may take pensions, and titles, and resign at a critical juncture, and talk imprudently of guidoes, &c.—it is all nothing, when once he is heard. You remember, perhaps, how Æschines endeavoured to give an idea of the power of Demosthenes to the Rhodians when he was banished: 'he is such a man, said Æschines, that were I to wipe file and throw him, he would persuade you all that he threw me.'"

pularity:

CHAP. XXIV. 1774.

pularity: his adminiſtration, though ſhort, produced ſeveral meaſures calculated to gratify the public. He is deſcribed by Mr. Burke[k], as a perſon of ſound principles, enlargement of mind, clear and ſagacious ſenſe, and unſhaken fortitude. Theſe qualities ſecured many adherents; but their effect was diminiſhed by a deficiency in parliamentary eloquence. He ſeldom took a ſhare in the debates, even to defend his own adminiſtration; ſpoke with an air of embarraſſment, and in ſo low a tone of voice as ſcarcely to be heard.

The duke of Richmond.

THE DUKE OF RICHMOND was an active and indefatigable opponent of adminiſtration. In the Rockingham miniſtry he held the ſeals of ſecretary of ſtate; and was, in 1766, appointed miniſter plenipotentiary to the court of France. He poſſeſſed conſiderable abilities, improved by laborious perſeverance, and the aſſociations incident to a military life. In every debate he ſeized ſome cenſurable point, which he attacked with force and obſtinacy. In debate he evinced a prompt and deciſive mind; his reprobation of the meaſures of adminiſtration was never qualified in terms or manner, but always calculated to convince the hearers that it was the genuine offspring of conviction.

Lord Shelburne.

THE EARL OF SHELBURNE poſſeſſed ready powers of argumentation, applied himſelf to the commercial and political relations of Great Britain, and was well verſed in foreign affairs. He was firſt lord of trade during the duke of Bedford's adminiſtration in 1763, and, under the auſpices of lord Chatham, by whom he was held in high eſtimation, filled the office of ſecretary of ſtate.

Lord Camden.

THE EARL OF CAMDEN was the principal law lord in oppoſition, and his exertions were of the utmoſt importance. He was a member of the houſe of commons from 1754, till December 1761, when he was appointed chief juſtice of the common pleas. In that court, he preſided with dignity, firmneſs and impartiality:

[k] Speech on American taxation; Burke's works, vol. i. p. 348.

ality: his popularity was eſtabliſhed by the memorable queſtions relative to Wilkes, and conſiderably augmented by his oppoſition to the American war. His legiſlative information was recommended by a ready, nervous and perſuaſive eloquence, and his reaſonings were drawn from a thorough and accurate knowledge of the conſtitutional hiſtory of the country. He was perſonally attached to lord Chatham, to whom he was indebted for his advancement, and during whoſe adminiſtration he was elevated to the dignity of lord chancellor.

The dukes of Devonſhire and Portland.

THE DUKES OF DEVONSHIRE and PORTLAND ſeldom addreſſed the houſe; the former often compenſated for ſilence by a few words of ſingular force and neatneſs: they joined in the important proteſts, and aſſiſted the party with all the weight of their connexion and perſonal influence; and were both highly reſpected by the public for independence and integrity.

In the lower houſe.

THE lower houſe exhibited an unuſual aſſemblage of abilities on both ſides.

Mr Rigby. Sir Gilbert Elliott.

MR. RIGBY, paymaſter of the forces, was a vigorous and intrepid ſpeaker. SIR GILBERT ELLIOTT was endowed with firm and manly ſenſe, and clearneſs in detail, highly advantageous in debate; and SIR GREY COOPER rendered eſſential ſervices by knowledge of buſineſs, facility in debate, and a ſtrict attention to, and accurate acquaintance with the affairs of finance; he enjoyed the full confidence of the miniſter, under whoſe auſpices he was introduced into parliament, and to whom he remained invariably attached.

Sir Grey Cooper.

Mr. Dundas.

MR. DUNDAS, lord advocate of Scotland, had acquired conſiderable eminence by his proficiency in the civil and common law, by application, and by the order which he introduced into all the affairs of office. Although he ſeemed to lie under ſome diſadvantages from his native accent, yet, few were heard with greater attention: he was an able and ſpirited debater, never

CHAP. XXIV. 1774.

ſhrinking from the queſtion, and declaring his opinions with manly firmneſs, without the pomp of ſtudied phraſeology, or the glare of rhetorical ornament.

Mr. Jenkinſon.

MR. JENKINSON, ſubſequently lord Hawkeſbury, and earl of Liverpool, firſt attracted public notice by a treatiſe on the conduct of the Government of Great Britain, in reſpect to Neutral Nations; he was verſed in the conſtitution of the kingdom, applied himſelf to commercial and political queſtions, and ſpoke with correctneſs and preciſion. He ſate in two preceding parliaments, and his merits were acknowledged by various miniſters. In 1766, during lord Chatham's adminiſtration, he was a lord of the admiralty; and in 1772, joint vice-treaſurer of Ireland.

THE principal members of the robe who ſupported adminiſtration, beſides SIR FLETCHER NORTON, the ſpeaker, were Thurlow and Wedderburne.

Mr. Thurlow.

THURLOW was nervous, impreſſive, and majeſtic, and delivered the reſolute dictates of a ſuperior intellect, without ſoliciting applauſe. From him truth appeared above the aid of art; and the judgment was ſummoned to yield without an appeal to the intervention of fancy.

Mr. Wedderburne.

WEDDERBURNE was acute, perſpicuous, elegant, [illegible] alternately eſſayed the force of reaſon, and the charms of eloquence; ſometimes attacking the judgment with reſiſtleſs argument, at other times appealing to the fancy with the powers of wit, and graces of elocution.

Oppoſition. Serjeant Glynn.

THE moſt diſtinguiſhed lawyers in oppoſition were ſerjeant Glynn and Mr. Dunning. GLYNN became member for Middleſex, in conſequence of his exertions in behalf of Wilkes, and to the ſame cauſe may be attributed his attaining the recorderſhip of London in 1772. He was not a frequent ſpeaker, but generally engaged in popular queſtions, and delivered his ſentiments with conſiderable eloquence and deciſive boldneſs. His health was already much impaired, and an early death deprived his party of his ſupport.

DUNNING

CHAP. XXIV.

1774.

DUNNING enjoyed a high reputation at the bar, and had filled the office of ſolicitor-general. He united a perfect knowledge of the law, with a liberal view of politics. The meanneſs of his figure, the ungracefulneſs of his action, and monotony of his voice, were all loſt in the rapidity of his conceptions, the fluency of his words, the flaſhes of his wit, and the ſubtlety of his arguments. Mr. Dunning.

SIR GEORGE SAVILE, who, in the preſent and two preceding parliaments, repreſented the county of York, was reſpected for the ſoundneſs of his underſtanding, the firmneſs of his principles, and the integrity of his motives. Poſſeſſed of a large fortune, and never having accepted any official ſituation, he was not ſuppoſed to be influenced by views of ambition; his oppoſition was conſtant and vigorous, and he was conſidered at the head of the country-gentlemen in the minority. Sir George Savile.

COLONEL BARRE joined to a practical acquaintance with affairs, a bold and nervous eloquence. He reaſoned or ridiculed; rolled the deep-toned thunder of patriotic denunciation, or uttered ſallies of ſarcaſtic animadverſion, with equal readineſs and equal effect. Colonel Barré.

MR. BURKE came into parliament under the immediate auſpices of the marquis of Rockingham, to whom he was introduced merely by the reputation of thoſe learned and admirable publications, which at an early period fixed his fame on an enviable eminence. He was lord Rockingham's confidential political adviſer, and on his judgment and addreſs the proceedings of the anti-miniſterial party in a great meaſure depended. Burke enjoyed the rare advantage of being equally eloquent in ſpeech and in writing, and the Iriſh accent and manner, which he never loſt, were forgotten in the variety of his excellencies. He poſſeſſed great taſte, learning, general knowledge, an intimate acquaintance with the laws of nations, and a ſagacity which penetrated into the political nature of man, and confidently deduced, from viſible cauſes, thoſe effects, which to a leſs intuitive mind ſeemed remote Mr. Burke.

CHAP. XXIV. 1774.

and problematical. At his firſt entrance into the ſenate he eſtabliſhed a high reputation, which in all the viciſſitudes of a laborious life he never relinquiſhed. His oratory was of the higheſt claſs; and if he appeared on ſome occaſions to give the rein to his fancy, to the prejudice of his judgment, it may be confidently aſſerted that no man who ſpoke ſo much, and on ſo many important topics, compenſated for a few faults with ſuch a number and variety of beauties. If Burke wandered, the elegance of the digreſſion, and the ingenuity with which it was reconciled to, and connected with the main ſubject, repaid the momentary impatience of the auditor. If occaſionally he ſeemed to trifle, or deſcend below his proper level, he regained his accuſtomed poſition with ſuch elaſtic vigour, and atoned for his temporary aberration with ſuch a ſplendid profuſion of rhetorical beauties, that the moſt captious felt aſhamed to cenſure, and the moſt faſtidious were abundantly ſatisfied. To him all nature and all ſcience tendered tributary ſtores: in this inexhauſtible opulence he conſulted rather his own reſources than the mere wants of the ſubject, and ſcattered the treaſures of his intellect with unreſtrained prodigality: his fervid mind aſſailed the topic of diſcuſſion in every poſſible direction, and he ſeemed at laſt to deſiſt, not becauſe he was exhauſted, but becauſe the object of inveſtigation could not afford a point on which to fix a new illuſtration. To a poetical ardour of imagination, Burke joined a warmth of temper which occaſionally tranſported him beyond the bounds of diſcretion; but even this frailty had no conſiderable effect on his argumentation. If he was warm, his reaſoning was not leſs cogent; and although the indignant ſenſations of the moment ſometimes produced expreſſions which appeared inconſiſtent with prudence, and derogatory to his high reputation; ſtill the correctneſs of his images, the happy application of his wit, and the force of his raillery, obliterated the recollection of his defects, and left on the mind no other ſenſations

CHAP. XXIV. 1774.

ſations than thoſe of exquiſite gratification. In detailing general principles, he was extremely fortunate: they always ſeemed appropriate to his ſubject; not introduced to cover a defect in the texture of his chief argument, but generated from a natural combination of expanſive knowledge, and ſpecific inveſtigation. From him nothing appeared trite, nothing inelegant or unfiniſhed; his faults as an orator aroſe from the exceſs of his excellencies; he reaſoned after the hearer was convinced; he illuſtrated when the topic was perfectly luminous; he urged freſh grounds of defence when acquittal was already ſecure; and perſevered in accumulating motives of cenſure when the indignation of his audience had already attained its higheſt pitch.

Mr. Charles Fox.

AT the period on which we are treating, the reputation of Mr. Burke was in its zenith, and his exertions were ſufficient to influence, in a conſiderable degree, the politics of the times; but great and admired as they were, the effect they produced was not to be compared with that which reſulted from the efforts of the honourable Charles James Fox, ſecond ſon of lord Holland.

MR. Fox diſplayed at Eton and at Oxford an ardent attachment to claſſical literature, and gave preſage of his future genius by unwearied application to Cicero and Demoſthenes, and by preferring the Athenian to the Roman orator. Even in the earlieſt periods of life, and during all the viciſſitudes of pleaſure and diſſipation, he was indefatigable in the exerciſe of his argumentative faculty. The indulgent partiality of his father ſupplied abundant means of gratifying inclinations natural to a youth of warm paſſions, totally exempt from reſtraint, and his great talents were ſhrouded from the view of thoſe who could not diſcern them through the veil of unbounded diſſipation. He obtained a ſeat in parliament before the period of legal maturity, and was, in 1770, appointed a lord

CHAP. XXIV. 1774.

of the admiralty; but his ſupport, though marked with all the ardour of his temper, and energy of his genius, was not yet deemed eſſential to the cauſe of government: he had more than once participated in the unpopularity of adminiſtration, without the credit of ſharing the direction of their meaſures. In 1772, he reſigned his ſituation at the admiralty with marks of diſguſt, and was then expected to join the ranks of oppoſition[l]. The difference was, however, accommodated, and he ſoon afterward[m] received a ſeat at the treaſury-board, from which he was diſmiſſed in March 1774, with circumſtances which occaſioned the moſt lively indignation. To the period of his quitting the ſide of the miniſter, Mr. Fox was conſidered by ſome as a man for whoſe political errors, and levity of conduct, youth and inexperience afforded charitable excuſes[n]; but he ſoon "diſcovered powers for regular debate, which neither his friends had hoped, nor his enemies dreaded[o]." The force of Fox's oratory cannot be adequately deſcribed, and can be felt only by thoſe who have heard him on important occaſions. His ſpeeches were luminous without the appearance of concerted arrangement; his mind ſeemed by its maſterly force to have compreſſed, reduced, and diſpoſed the whole ſubject, with a confident ſuperiority to ſyſtematic rule; the torrent of his eloquence increaſed in force as the ſubject expanded; the vehemence of his manner was always ſupported by expreſſions of correſpondent energy; and the deciſive terms in which he delivered his opinions, by precluding the poſſibility of evaſion, impreſſed a full conviction of his ſincerity, and gained regard even from the moſt inveterate opponent. The diſtinguiſhing charac-

[l] See Gibbon's Poſthumous Works, vol. i. p. 449.
[m] 9th January 1773.
[n] See Debate on Mr. Grenville's Act, 25th February 1774.
[o] The expreſſion of Gibbon.—See Poſthumous Works, vol. i. p. 489.

teriſtic

CHAP. XXIV. 1774.

teriſtic of his arguments was profoundneſs; his general aim was the eſtabliſhment of ſome grand principle, to which all the other parts of his ſpeech were ſubſervient; and his genius for reply was ſingularly happy. He not only combated the principal reaſonings of his adverſaries; but extending a generous protection to his own partizans, reſcued their ſpeeches from ridicule or miſrepreſentation. The boldeſt conceptions, and moſt decided principles uttered by him did not appear gigantic; he ſeldom employed exaggerated or turnid phraſeology; and in the greateſt warmth of political conteſt, few expreſſions eſcaped him which can be cited to the diſadvantage of his character as a gentleman. Rhetorical embelliſhments, though frequently found in his harangues, did not ſeem the produce of laborious cultivation, but ſpontaneous effuſions. Superior to art, Fox ſeemed to illuſtrate rules which perhaps he had not in contemplation, and the bold originality of his thoughts and expreſſions would rather intitle him to be conſidered the founder of a new ſtyle of eloquence, than a ſervile adherent to any eſtabliſhed practice. Burke, ſtudious and indefatigable, from his continually augmenting ſtores, poured knowledge into the mind of Fox; but in debate their manners were widely diſſimilar: Fox depended on his natural and daily improving genius for argumentation; Burke on thoſe beauties which his taſte and learning enabled him to collect and diſpoſe with ſo much grace and facility; his ſpeeches were liſtened to with admiration as elegant pleadings; but Fox was always elevated above his ſubject, and by energy of manner, and impetuoſity of oratory, ſtaggered the impartial, animated his adherents, and threw uneaſineſs, alarm, and aſtoniſhment into the minds of his opponents.

Such were the principal men to whom the diſcuſſion of the grand queſtion relative to the rights and authority of Great Britain over her colonies was committed; who by their conduct as miniſters, or their

CHAP. XXIV. 1774.

exertions in support of, and opposition to the measures of government, regulated the progress of this important contest [p].

[p] In depicting these characters, my own judgment and recollection have been much assisted by private information. The eloquent Gibbon has in his usual masterly manner described this parliament in his Memoirs, published by lord Sheffield, p. 146, "I assisted at the debates of a free assembly; I listened to the attack and defence of eloquence and reason; I had a near prospect of the characters, views, and passions of the first men of the age. The cause of Government was ably vindicated by lord North, a statesman of spotless integrity, a consummate master of debate, who could wield, with equal dexterity, the arms of reason and of ridicule. He was seated on the treasury-bench between his attorney and solicitor-general, the two pillars of the law and state, *magis pares quam similes*; and the minister might indulge in a short slumber, whilst he was upholden on either hand by the majestic sense of Thurlow, and the skilful eloquence of Wedderburne. From the adverse side of the house an ardent and powerful opposition was supported by the lively declamation of Barré; the legal acuteness of Dunning; the profuse and philosophic fancy of Burke; and the argumentative vehemence of Fox, who, in conduct of a party, approved himself equal to the conduct of an empire. By such men every operation of peace and war, every principle of justice or policy, every question of authority and freedom, was attacked and defended; and the subject of the momentous contest was the union or separation of Great Britain and America."

## CHAPTER THE TWENTY-FIFTH:

### 1774—1775.

*Meeting of parliament.—King's ſpeech.—Amendment moved.—Proteſt.—Seamen reduced.—Papers laid before parliament.—Lord Chatham's motion for removal of troops—Negatived.—He moves for leave to bring in a bill, for quieting the troubles in America.—Heads of the bill.—Oppoſed by lord Sandwich—And the duke of Grafton.—Supported by lord Camden—And lord Shelburne.—Perſonal altercations—Intemperate ſpeech of Lord Chatham.—Reply.—Petitions in favour of the Americans—Referred to a committee.—Petition of Dr. Franklin and others—rejected.—Committee on American papers.—Motion for an addreſs—carried.—Motion to recommit the addreſs—negatived.—Conference.—Debate in the houſe of lords.—Energetic ſpeech of lord Mansfield.—Perſonal altercation.—Motion carried.—Proteſts.—Augmentation of forces.—New England reſtraining bill.—Petitions.—Evidence.—Debate on the third reading.—Oppoſed in the houſe of lords.—Amendment made—and withdrawn.—Bill for reſtraining other colonies.—Bounties to Ireland.—Lord North's conciliatory propoſitions.—Supported by governor Pownall.—Embarraſſment of the miniſter.—He is extricated by Sir Gilbert Elliott.—Reſolution agreed to.—Burke's motion.—His ſpeech.—Propoſition rejected.—Mr. Hartley's plan—negatived.—New York remonſtrance—rejected.—Attempt to repeal the Quebec act.—Other proceedings.—Prorogation.*

CHAP. XXV.

1774. 29th Nov. Meeting of parliament. 30th. King's ſpeech.

THE houſe of commons having re-elected Sir Fletcher Norton ſpeaker, the king opened the ſeſſion, by mentioning, with great concern, the daring ſpirit of reſiſtance to the laws, which in Maſſachuſet's Bay had broken forth in freſh violences, of a very criminal nature, and was countenanced in other colonies. Meaſures, he added, had been adopted to enforce the acts of laſt ſeſſion for the protection of commerce, and re-eſtabliſhment of peace. His majeſty

CHAP. XXV. 1774.

declared his reſolution to withſtand every attempt to weaken or impair the ſupreme authority of the legiſlature over all his dominions, the maintenance of which, he conſidered eſſential to the dignity, ſafety, and welfare of the empire.

Amendment moved. Lords' proteſt.

THE duke of Richmond moved an amendment to the addreſs, and the unuſual meaſure of proteſting againſt its rejection was adopted by nine peers, who "would not, in haſte, without inquiry and information, commit themſelves in declarations, which might precipitate their country into the horrors of civil war."

5th Dec. In the houſe of commons.

IN the houſe of commons, an amendment, by lord John Cavendiſh, requiring a communication of the intelligence received from America, was reſiſted, on the plea of the miniſter, that, admitting the expediency of a reconciliation with the colonies, yet as they had not offered terms, England could not be the firſt to ſubmit. The addreſs was carried by a majority, which proved the ſtrength of the miniſter in the new parliament [a].

Seamen reduced.

SUFFICIENT information had not yet arrived concerning the extent of American reſiſtance: the letters hitherto received from the governors, warranted indeed the obſervations in the king's ſpeech, but contained neither facts nor inferences, which could juſtify the miniſtry in ſtating to parliament the expectation

12th Dec. of an armed oppoſition. The number of ſeamen was therefore reduced to ſixteen thouſand, and the land forces fixed at ſeventeen thouſand five hundred and forty-ſeven effective men: the miniſter, at the ſame time, after acknowledging that the meaſures adopted by the laſt parliament had not been attended with their expected effect, promiſed the communication of papers, and that a committee ſhould be formed to take into conſideration the affairs of America.

Freſh intelligence received.

INTELLIGENCE received during the receſs, more unequivocally aſcertained the diſpoſition of the Ameri-

[a] 264 againſt 78.

cans,

cans, and included accounts of all their proceedings, to the ſeizure of Fort William and Mary. The meaſures of government were alſo in that period decided, and an adherence to the ſyſtem of coercion fully determined.

CHAP. XXV. 1775.

LORD NORTH took the earlieſt opportunity of laying before parliament numerous papers from all the colonies [a], containing letters, proclamations, narratives of proceedings, and other intereſting documents, together with ſentiments of governors, and other public men, on the ſtate of affairs. Theſe were ſubmitted to a committee.

19th Jan. Papers laid before parliament.

IN the upper houſe, lord Chatham moved an addreſs, requeſting the king to allay the unhappy ferments in America, by removing the troops from Boſton. In his ſpeech, he cenſured the delay of communication, accuſed the miniſtry of deluding the people by falſe repreſentations, and recommended inſtant efforts to effect a reconciliation before the meeting of the delegates. "Nothing," he ſaid, "but being nailed to my bed by the extremity of ſickneſs, ſhall prevent me from paying unremitted attention to ſo important a ſubject. I will knock at the door of this ſleeping and confounded miniſtry, and rouſe them to a ſenſe of their imminent danger. When I ſtate the importance of the colonies, and the magnitude of the danger hanging over this country, from the preſent plan of miſadminiſtration, I deſire not to be underſtood to argue a reciprocity of indulgence between England and America. I contend not for indulgence, but juſtice, to America: and I ſhall ever contend, that the Americans juſtly owe obedience to us in a limited degree: —they owe obedience to our ordinances of trade and navigation; but let the line be ſkilfully drawn between the objects of thoſe ordinances, and their private internal property; let the ſacredneſs of their property

20th Jan. Lord Chatham's motion for removal of troops.

[a] There were at firſt no letters from Maryland, but the deficiency was afterwards ſupplied.

remain

CHAP. XXV. 1775.

remain inviolate; let it be taxed only by their own conſent, given in their provincial aſſemblies;—elſe it will ceaſe to be property.—As to the metaphyſical refinements, attempting to ſhew that the Americans are equally free from obedience and commercial reſtraints, as from taxation for revenue, as being unrepreſented here; I pronounce them futile, frivolous, and groundleſs. Reſiſtance to your acts was neceſſary as it was juſt; and your vain declaration of the omnipotence of parliament, and your imperious doctrines of the neceſſity of ſubmiſſion, will be found equally impotent to convince or enſlave your fellow-ſubjects in America, who feel that tyranny, whether ambitioned by an individual part of the legiſlature, or the bodies who compoſe it, is equally intolerable to Britiſh ſubjects. The means of enforcing this thraldom are found to be as ridiculous and weak in practice, as they are unjuſt in principle. Indeed, I cannot but feel the moſt anxious ſenſibility for the ſituation of general Gage, and the troops under his command, thinking him, as I do, a man of humanity and underſtanding; and entertaining, as I ever will, the higheſt reſpect, the warmeſt love, for the Britiſh troops. Their ſituation is truly unworthy; penned up—pining in inglorious inactivity. They are an army of impotence: you may call them an army of ſafety and of guard; but they are in truth, an army of impotence and contempt: and to make the folly equal to the diſgrace, they are an army of irritation and vexation. The firſt drop of blood ſhed in civil and unnatural war might be '*immedicabile vulnus*.' Adopt the grace while you have the opportunity of reconcilement; or at leaſt prepare the way. Allay the ferment prevailing in America, by removing the obnoxious hoſtile cauſe: obnoxious and unſerviceable; for their merit can only be in inaction; '*Non dimicare et vincere*,' their victory can never be by exertions. Their force would be moſt diſproportionately exerted againſt a brave, generous, and united people, with arms in their hands and courage

courage in their hearts:—three millions of people, the genuine deſcendants of a valiant and pious anceſtry, driven to thoſe deſerts by the narrow maxims of a ſuperſtitious tyranny.—And is the ſpirit of perſecution never to be appeaſed? Are the brave ſons of thoſe brave forefathers to inherit their ſufferings as they have inherited their virtues? Are they to ſuſtain the infliction of the moſt oppreſſive and unexampled ſeverity—beyond the accounts of hiſtory, or deſcription of poetry?—'*Rhadamanthus habet duriſſima regna caſtigatque, Auditque:*' ſo ſays the wiſeſt poet, and perhaps the wiſeſt ſtateſman and politician of antiquity:—but our miniſters ſay, the Americans muſt not be heard. They have been condemned unheard; the indiſcriminating hand of vengeance has lumped together innocent and guilty; with all the formalities of hoſtility, has blocked up the town and reduced to beggary and famine thirty thouſand inhabitants." CHAP. XXV. 1775.

He extolled the congreſs, as more wiſe and more prudent than the meeting of ancient Greece: Thucydides recorded nothing more honourable, more reſpectable, than that deſpiſed convention: their proceedings were remarkable for firmneſs, temper, and moderation, and it would be happy for Great Britain, if the houſe of commons were as freely and uncorruptly choſen. "Miniſters may ſatisfy themſelves, and delude the public, with the report of what they call commercial bodies in America.—They are not commercial:—they are your packers and factors; they live upon nothing—for I call commiſſion nothing;—I mean the miniſterial authority for this American intelligence; the runners for government, who are paid for their intelligence. But theſe are not the men, nor this the influence, to be conſidered in America, when we eſtimate the firmneſs of their union. Trade indeed increaſes the glory and wealth of a country; but its real wealth and ſtamina are to be looked for among the cultivators of the land; in their ſimplicity of life is found the ſimpleneſs of virtue, the integrity and courage

CHAP. XXV. 1775.

courage of freedom. Theſe true genuine ſons of the earth are invincible; they ſurround and hem in the mercantile bodies, and if it were propoſed to deſert the cauſe of liberty, would virtuouſly exclaim; 'If trade and ſlavery are companions, we quit trade; let trade and ſlavery ſeek other ſhores, they are not for us!' This reſiſtance to your arbitrary ſyſtem of taxation might have been foreſeen: it was obvious from the nature of things, and of mankind; and, above all, from the whiggiſh ſpirit flouriſhing in that country. The ſpirit which now reſiſts your taxation in America, is the ſame which formerly oppoſed loans, benevolences, and ſhip-money in England. The ſame ſpirit which called all England on its legs, and by the bill of rights vindicated the Engliſh conſtitution—the ſame principle which eſtabliſhed the great, fundamental, eſſential maxim of our liberties, that no ſubject of England ſhall be taxed but by his own conſent—this glorious ſpirit of whiggiſm animates three millions in America—who prefer poverty with liberty, to gilded chains and ſordid affluence; and who will die in defence of their rights as men—as freemen. The cauſe of America is allied to every true whig:—the whole Iriſh nation, all the true Engliſh whigs, the whole people of America combined, would amount to many millions of whigs averſe to the ſyſtem. To ſuch united force, what force ſhall be oppoſed?—What, my lords?—A few regiments in America, and ſeventeen or eighteen thouſand men at home! The idea is too ridiculous to take up a moment of your lordſhips' time. Nor can ſuch a rational and principled union be reſiſted by the tricks of office, or miniſterial manœuvre. Laying of papers on your table, or counting noſes on a diviſion, will not avert or poſtpone the hour of danger:—it muſt arrive, unleſs theſe fatal acts are done away. It muſt arrive, in all its horrors! and then theſe boaſtful miniſters, 'ſpite of all their confidence, and all their manœuvres, ſhall be forced to hide their heads! They ſhall be forced to a diſgraceful

ful abandonment of their preſent meaſures and principles :—principles which they avow, but cannot defend ;—meaſures which they preſume to attempt, but cannot hope to effectuate. They cannot, my lords, they cannot ſtir a ſtep ; they have not a move left :—they are checkmated. It is not repealing this or that act of parliament,—it is not repealing a piece of parchment,—that can reſtore America to our boſom :—you muſt repeal her fears and her reſentments ; and may then hope for her love and gratitude. But now inſulted by an armed force at Boſton, irritated with an hoſtile array before her eyes, her conceſſions, if they could be forced, would be ſuſpicious and inſecure ; they will be, *irato animo*, not ſound honourable pactions of freemen ; but dictates of fear, and extortions of force. It is, however, more than evident you cannot force them, principled and united as they are, to your unworthy terms of ſubmiſſion ; it is impoſſible!—and when I hear general Gage cenſured for inactivity, I muſt retort with indignation on thoſe whoſe intemperate meaſures and improvident councils have betrayed him into his preſent ſituation. His ſituation reminds me of the anſwer of a French general in the civil wars of France.—Monſieur Condé oppoſed to Monſieur Turenne, was aſked how it happened that he did not take his adverſary priſoner, as he was often very near him? '*J'ai peur*,' replied Condé, very honeſtly, *J'ai peur qu'il ne me prenne ;*' 'I am afraid he will take me.'

CHAP. XXV. 1775.

"We ſhall be forced ultimately to retract ;—let us retract while we can, not when we muſt. Theſe violent oppreſſive acts *muſt be repealed—you will repeal them—I pledge myſelf for it, that you will in the end repeal them—I ſtake my reputation on it!—I will conſent to be taken for an idiot, if they are not finally repealed!*—Avoid then this humiliating, diſgraceful neceſſity. With a dignity becoming your exalted ſituation, make the firſt advances to concord, to peace, and to happineſs ; for *that* is your true dignity, to act with prudence

CHAP. XXV. 1775.

prudence and with juſtice. That you ſhould firſt concede is obvious, from ſound and rational policy. Conceſſion comes with better grace, and more ſalutary effect, from the ſuperior power; it reconciles ſuperiority of power with the feelings of men: and eſtabliſhes ſolid confidence on the foundations of affection and gratitude. So thought a wiſe poet, and a wiſe man in political ſagacity; the friend of Mæcenas, and the eulogiſt of Auguſtus: to him, the adopted ſon of the firſt Cæſar, to him, the maſter of the world, he wiſely urged this conduct of prudence and dignity:

'Tuque prior, tu parce; genus qui ducis Olympo;
'Projice tela manu.'

On the other hand, every danger impends to deter you from perſeverance in the preſent ruinous meaſures. Foreign war hanging over your heads by a ſlight and brittle thread; France and Spain watching your conduct, and waiting for the maturity of your errors. If the miniſters thus perſevere in miſadviſing and miſleading the king, I will not ſay, they can alienate the affections of his ſubjects from the crown; but I will affirm, they will make the crown not worth his wearing. I will not ſay, the king is betrayed; but I will pronounce the kingdom undone[b]."

Supported.

LORD CHATHAM'S motion was ſupported by the duke of Richmond, the marquis of Rockingham, lords Shelburne and Camden. They inſiſted that the aſſertion of the omnipotence of parliament was an abſtract metaphyſical queſtion, purpoſely introduced into the diſcuſſion of American affairs, to delude alike the parliament and people: the very loweſt mechanic was inflated with his own importance, as a party in a conteſt with traitors, vagabonds, and baſe ungrateful rebels. But whatever ſtreſs might be laid on the legiſlative ſupremacy of Great Britain (and the doctrine was juſt when properly directed) it was no

[b] This ſpeech is taken from Debrett's debates, corrected and aſſiſted by a report by Hugh Boyd: the hiſtory of Lord North's adminiſtration, p. 187, and the Annual Regiſter for the year 1775, p. 47.

leſs

leſs true, and conſonant to the reaſonings of all ſpeculative writers on government, that no man, on the true principles of natural or civil liberty, could, without his own conſent, be diveſted of any part of his property. The queſtion was not in fact referred to the people or parliament, becauſe an adminiſtration conſiſting of four or five perſons, and thoſe again guided by one man, held an abſolute ſway over parliament; between the miniſtry, therefore, and all America, was the iſſue depending. The acts of laſt ſeſſion were analyſed, and declared highly unconſtitutional; and lord Camden quoted Selden and Blackſtone, to prove, that although the various circumſtances and incidents which might juſtify reſiſtance could not be exactly defined, the people at large, poſſeſſing the original rights neceſſary to their own happineſs and preſervation, had a right to recal a delegated power and authority, whenever abuſed to their own ruin and deſtruction. CHAP. XXV. 1775.

THE motion was oppoſed by the earls of Suffolk, Rochford, and Gower; viſcounts Townſhend and Weymouth; and lord Lyttleton. Oppoſed.

THEY traverſed lord Chatham's ſtatements, and his encomiums on the congreſs, who in their proceedings and reſolutions breathed the ſpirit of independency and rebellion. The Britiſh parliament poſſeſſed an indubitable legiſlative ſupremacy; an inactive right was abſurd; if right exiſted, it muſt be aſſerted, or for ever relinquiſhed. The difficulties of the moment would be infinitely augmented by the lapſe of a few years: and diſobedience to parliament once connived at, would invalidate every claim to dominion over America. The obnoxious acts were ſpecifically defended; the Boſton port act would, but for the obſtinacy of the people, have executed itſelf, and by cauſing the indemnification of the Eaſt India company, have re-eſtabliſhed the port, and facilitated a complete reconciliation. The reſolutions of congreſs againſt theſe acts, demonſtrated, that the views of the Americans

CHAP. XXV. 1775.

ricans extended beyond the profeſſed limits of a redreſs of grievances, even to the overthrow of the act of navigation, that great palladium of Britiſh commerce. The queſtion was not limited to revenue: but in its determination would decide whether that great commercial ſyſtem on which the ſtrength and proſperity of Great Britain, and the mutual intereſts of both countries vitally depended, ſhould be deſtroyed to gratify the fooliſhly ambitious temper of a turbulent and ungrateful people. The parent ſtate ſhould never relax, till her ſupremacy was acknowledged; but dutiful compliance would be attended with every indulgence conſiſtent with the real intereſt of both countries; previous conceſſion would be impolitic, puſillanimous, and abſurd. It was a duty incumbent on adminiſtration to purſue their object of ſubduing the rebellious Americans; and the earl of Suffolk, ſecretary of ſtate, explicitly avowed the miniſterial reſolution of enforcing obedience by arms, acknowledging with pride that he had adviſed coercive meaſures, from a conviction of their neceſſity. All enquiry into the ſtate of the troops at Boſton, and the conduct of general Gage, was deprecated, from the impoſſibility of forming a judgment at ſo great a diſtance, and from ſuch ſlender materials as parliament poſſeſſed. The motion was negatived [c].

Negatived.

1ſt Feb. Lord Chatham's motion for leave to bring in a bill.

In ſubmitting his late motion to the houſe, the earl of Chatham ſaid he had framed a plan of adjuſtment, ſolid, honourable, and permanent, which he took the earlieſt occaſion to preſent under the form of "A proviſional act for ſettling the troubles in America; and for aſſerting the ſupreme legiſlative authority and ſuperintending power of Great Britain over the colonies." His introductory ſpeech was ſhort; urging the neceſſity of an immediate effort at conciliation. Great Britain and America, he ſaid, were drawn up in martial array, waiting for the ſignal to engage in a conteſt, in

[c] Contents 18.—Non-contents 68. The diviſion was remarkable by the appearance of the duke of Cumberland in the minority.

CHAP. XXV. 1775.

which it was little matter for whom victory declared, as ruin and deſtruction muſt be the inevitable conſequence to both. He wiſhed to act the part of mediator, but no regard for popularity, no predilection for his own country; not his high eſteem for America on one hand, nor his unalterable ſteady regard for Great Britain on the other, ſhould influence his conduct. He loved the Americans, as men prizing and ſetting the juſt value on that ineſtimable bleſſing, liberty; but were he once perſuaded that they entertained the moſt diſtant intention of rejecting the legiſlative ſupremacy, and the general, conſtitutional, ſuperintending authority and controul of the Britiſh legiſlature, he would be the firſt and moſt zealous mover for exerting the whole force of Britain in ſecuring and enforcing that power. He entreated the aſſiſtance of the houſe in digeſting his crude materials, and in adapting them to the dignity and importance of the ſubject, and their great ultimate ends.

Heads of the intended bill.

THE bill propoſed to modify the declaratory law, by providing that the parliament of Great Britain ſhould have full power to bind America in all matters relating to the general weal of the whole dominion of the imperial crown, beyond the local competency of diſtinct colonial repreſentative bodies, and particularly in the regulation of trade. To quiet groundleſs jealouſies and fears reſpecting a ſtanding army, without derogating from the legiſlative, conſtitutional, and hitherto unqueſtioned prerogative of the crown, it was declared that no military force, however raiſed and maintained according to law, could be lawfully employed to violate and deſtroy the juſt rights of the people. By the clauſe reſpecting taxation, no tallage, tax, or charge for the king's revenue, was to be levied in America, without legal conſent of the provincial aſſemblies. The delegates to the late general congreſs were again to meet in May, and conſider on a due recognition of the ſupreme legiſlative authority, and ſuperintending power of parliament; and of a free

CHAP. XXV. 1775.

grant of a certain perpetual revenue, to be diſpoſed of by parliament in alleviation of the national debt, which had, in no inconſiderable part, been incurred for the extenſion, defence, and proſperity of the colonies. This free grant was not, however, to be underſtood as a condition of redreſs, but a teſtimony of affection, nor could congreſs exerciſe the right of taxation without firſt duly recognizing the ſupreme legiſlative and ſuperintending power of parliament. The prayer of the petition of congreſs was then to be granted by reſtrictions on the admiralty juriſdiction; a reſtoration of the trial by jury where aboliſhed in civil caſes; a renunciation of the power of removing perſons indicted for murder to other provinces, or to Great Britain for trial: and a repeal of all the acts relating to America, from the fourth year of the king to thoſe of the laſt ſeſſion, including the Quebec act, and that for quartering ſoldiers. The judges were to hold their offices, as in England, during good behaviour; and the colonial charters were confirmed, and declared exempt from invaſion or reſumption, except for miſuſer, or ſome legal grounds of forfeiture. The bill concluded with theſe words: "So ſhall true reconcilement avert impending calamities, and this moſt ſolemn national accord between Great Britain and her colonies ſtand an everlaſting monument of clemency and magnanimity in the benignant father of his people; of wiſdom and moderation in this great nation, famed for humanity as for valour; and of fidelity and grateful affection from brave and loyal colonies to their parent kingdom, which will ever protect and cheriſh them."

Debate. Propoſal of lord Dartmouth.

AN animated debate enſued. The earl of Dartmouth, ſecretary of ſtate for America, expreſſed a wiſh that the bill might lie on the table, to be taken into conſideration after the adoption of ſome reſolutions relative to the papers already communicated.

Oppoſition of lord Sandwich.

THIS apparent moderation was highly diſpleaſing to lord Sandwich, who inſiſted, that any conceſſion was an abandonment of the cauſe of government.

The

The Americans had formed the moſt hoſtile and traitorous deſigns, and were guilty of actual rebellion in ſeizing the king's forts and ammunition, with an avowed intention of employing them againſt him. The mode of introducing the bill was unparliamentary and unprecedented. The ſtale pretence of preſerving our commercial intereſts by conceſſions was a device which could impoſe on none but thoſe who were wilfully blind, and reſolved to contradict the plaineſt evidence of facts; the Americans were not diſputing about words, but realities; their aim was to be freed from commercial reſtrictions; they courted the trade of other nations, and he had in his pocket letters which would undeniably prove that ſhips were then lading at L'Orient, Havre-de-Grace, and Amſterdam, with Eaſt India and European commodities for America. He therefore moved the immediate rejection of the bill.

Oppoſition of other lords: The Duke of Grafton.

THE firſt lord of the admiralty was ſupported by the duke of Grafton, earl Gower, and the earl of Hillſborough. The duke of Grafton particularly denounced the unparliamentary manner of hurrying the bill into the houſe: he had had the honour of ſitting there longer than the noble earl, and remembered no ſimilar inſtance. So great a variety of ſubjects ſhould not have been combined, but diſtinctly diſcuſſed. Other opponents of the bill contended, that it was calculated to gratify the Americans in every particular, but offered no ſecurity for conceſſion on their part. It ſanctified and legalized the late congreſs, and warranted another aſſembly of the ſame deſcription. The acts of parliament propoſed to be repealed were ſucceſsfully defended, particularly the Quebec act, which was peculiarly extolled for moderation, juſtice, and policy.

Bill ſupported.

THE bill was ſupported, or rather its immediate rejection oppoſed, by the duke of Richmond, earl of Shelburne, and lord Camden. Lord Shelburne deſcribed a ruined commerce, ſtarving manufacturers,

CHAP. XXV. 1775.

increaſed taxes, heavy poor's-rates, rents fallen, an exhauſted exchequer, and a diminiſhed revenue, as inevitable conſequences of the meaſures purſued by adminiſtration. Famine muſt alſo neceſſarily enſue, from the diſcontinuance of the vaſt ſupply of bread-corn derived from America. In that caſe all the military force of the kingdom would be requiſite to keep the people in due reſtraint, as was fully demonſtrated during the ſcarcity in 1766. The miniſtry were generally challenged to diſcuſs the principles of the bill, although an immediate deciſion was profeſſedly not required. The laws propoſed to be repealed were analyſed with great ſeverity, particularly thoſe of the laſt ſeſſion. Nor was the probability of foreign interference omitted; and the miniſtry were cautioned againſt truſting to the aſſurances of their inveterate enemies.

A MORE moderate party, conſiſting of the duke of Mancheſter, earl Temple, and lord Lyttleton, diſapproved many parts of the bill, but deprecated its ſudden rejection, as an unneceſſary inſult to an exalted character. Lord Temple attributed all the evils and diſtractions to the fatal repeal of the ſtamp act; and the laws of the laſt ſeſſion were more exceptionable in mode than matter. Lord Lyttleton voted againſt the rejection of the bill, yet differed in many reſpects from Lord Chatham, particularly on the ſubject of the Quebec act, againſt the repeal of which he ſtrenuouſly contended.

Perſonal altercations.

IN the courſe of the debate much perſonal altercation aroſe. The duke of Richmond animadverted with great ſeverity on lord Gower; and lord Chatham, in arguing lord Sandwich's motion, uttered a tremendous philippic againſt the whole adminiſtration.

Intemperate ſpeech of lord Chatham.

HE began with his quondam colleague in office, and very humble ſervant, the duke of Grafton, on whoſe logic he deſcanted with great ſeverity. Could he be more juſtly charged with hurrying the buſineſs into the houſe, or his grace with hurrying it out? America

was declared in rebellion; eleven days had elapſed ſince his laſt motion, and no meaſure had yet been propoſed by any of the king's ſervants. "Even now," he ſaid, "if they will aſſure me they have a plan to offer, I will give them a proof of candour they do not deſerve, by inſtantly withdrawing my bill." The indecent attempt to ſtifle the meaſure in embryo would not ſink it in oblivion; it would make its way to the public, to the nation, to the remoteſt wilds of America, it would be coolly inveſtigated, and appreciated by its merits or demerits alone. "I am not aſtoniſhed," he continued, "that men who hate, ſhould deteſt thoſe who prize liberty; or that thoſe who want, ſhould perſecute thoſe who poſſeſs virtue. I could demonſtrate, were I ſo diſpoſed, that the whole of your political conduct has been one continued ſeries of weakneſs, temerity, deſpotiſm, ignorance, futility, negligence, blundering, and the moſt notorious ſervility, incapacity, and corruption. On reconſideration I muſt allow you one merit, a ſtrict attention to your own intereſts: in that view you appear ſound ſtateſmen, and able politicians. You well know, if the preſent meaſure ſhould prevail, you muſt inſtantly relinquiſh your places. I doubt much whether you will be able to keep them on any terms: but ſure I am, ſuch are your well-known characters and abilities, that any plan of reconciliation, however moderate, wiſe, and feaſible, muſt fail in your hands. Who then can wonder, that you ſhould negative any meaſure, which muſt annihilate your power, deprive you of your emoluments, and at once reduce you to that ſtate of inſignificance for which God and nature deſigned you."

CHAP. XXV. 1775.

THE earls of Gower and Hillſborough warmly reprobated theſe intemperate animadverſions as the reſult of a factious deſign to embarraſs government, and obtain undue popularity; great induſtry would doubtleſs be employed in circulating the bill, and inflaming the public mind, both in England and America. To

Reply of miniſters.

CHAP. XXV. 1775.

talk of three millions of Americans in arms was a groſs exaggeration, the whole population did not exceed that amount; one-third, at leaſt, would ſubmit, and deducting from the remainder, the aged, the infants, and the females, his lordſhip's facts would be found no more correct than his arguments. It would be ſufficiently early to anſwer general charges, when ſo pointed as to call for defence or explanation: but lord Gower obſerved, the perſons cenſured only ſhared the fate of all other adminiſtrations he ever remembered; lord Chatham having uniformly condemned, though he afterwards acted with them, and if his age did not form an impediment, he would probably give on the preſent occaſion, one more proof of verſatility, by loudly eſpouſing the meaſures he now ſo loudly condemned.

LORD SANDWICH's motion was carried, and that for bringing in the bill rejected [d].

23d Jan. to 26th. Petitions in favour of the Americans.

MEANWHILE the papers ſubmitted to the houſe of commons were referred to a committee, and numerous petitions offered on American affairs from great mercantile cities and towns [e], praying parliament to deſiſt from thoſe proceedings which occaſioned the American aſſociation ſo prejudicial to commerce.

Debate on the London petition.

ON the firſt petition from the merchants of London, a ſtrenuous debate aroſe on a propoſition to refer it to a committee on the twenty-ſeventh of January, the day after that appointed for conſidering the papers. Much acrimony was diſplayed in arraigning the conduct of miniſters, and much ridicule thrown on the propoſed committee, which Mr. Burke humorouſly termed a *Coventry* committee, and a committee of oblivion. The queſtion was however carried [f], and all the enſuing petitions, together with one from Bir-

Referred to a committee.

[d] 61 to 32.

[e] The American merchants in London preſented two; Briſtol the ſame number, Glaſgow, Norwich, Liverpool, Mancheſter, Birmingham, Wolverhampton, Dudley, and ſeveral other places in Great Britain and Ireland, ſent petitions, as did various bodies of merchants intereſted in the great objects of diſpute.

[f] 197 to 81.

mingham

mingham of a contrary tendency[g], were ſubmitted to the ſame committee. The merchants of London diſpleaſed by this reference, withdrew their petitions, declaring themſelves under no apprehenſions reſpecting their American debts, unleſs the means of remittance ſhould be cut off by meaſures adopted in Great Britain.

25th and 26th Jan. Petition of Dr. Franklin and others.

Dr. Franklin, and Meſſrs. Bollan and Lee, who were authorized by the continental congreſs to preſent their petition to the king, alſo prayed to be examined at the bar, in ſupport of that paper which they were enabled to elucidate. In debating this requeſt, it was inſiſted on one ſide, that compliance would lead to inextricable confuſion, and deſtroy the whole colonial government. It would explicitly ſanction the congreſs, which was not a legal meeting, and recognize the parties making the application, who were not, in fact, legally appointed. On the other, it was contended that the congreſs, however illegal for other purpoſes, were fully competent to this: the petition was ſigned by the members: it might be received as from them in their individual capacity, and the equity of the houſe ſhould rather lead to the adoption of plauſible reaſons for receiving, than the invention of pretences for rejecting ſuch papers; the practice of diſmiſſing petitions and declining the examination of agents would eſtabliſh an opinion, that thoſe who refuſed to hear complaints, abdicated the rights of government, and thus naturally lead to univerſal rebellion. The introduction of the petition was not permitted[h].

Rejected.

2d Feb. Committee on the American papers.

In a committee of the whole houſe, on the papers from America, lord North re-argued the cuſtomary topics of parliamentary ſupremacy, the propriety of American contribution, and lightneſs of the taxes

[g] It was inſiſted by oppoſition that this counter-petition was unfairly obtained by miniſterial influence, and not ſigned by perſons really intereſted in the American trade.

[h] 218 to 68.

CHAP. XXV. 1775.

hitherto impoſed, which did not amount to more than ſixpence a year on each individual. Then, denouncing the confederacy againſt importation as the cauſe of the preſent ſeparation, he unfolded his plan of coercion, which was, to ſend to America a larger military force, and by a temporary act, to ſtop the foreign commerce of New England, and their fiſhery on the banks of Newfoundland, till they returned to their duty; declaring whenever the event took place, their real grievances ſhould, on proper application, be redreſſed.

Motion for an addreſs.

His motion was for an addreſs, thanking the king for the communication of papers; affirming the province of Maſſachuſet's Bay to be in rebellion; declaring the reſolution of the houſe, not to relinquiſh any part of the ſovereign authority, veſted by law in his majeſty and the two houſes, over every branch of the empire; and profeſſing their conſtant readineſs to pay attention to the grievances of the ſubject, when preſented in a dutiful and conſtitutional manner. The king was requeſted to take effectual meaſures for enforcing obedience to the laws and authority of the ſupreme legiſlature, and in the moſt ſolemn manner aſſured of their fixed reſolution, at the hazard of their lives and property, to ſupport him againſt all rebellious attempts, in the maintenance of his juſt rights and thoſe of the two houſes.

Amendment moved.

THE debate, though ſpirited and vehement, afforded little novelty; and no other intereſt than appertained to the importance of the ſubject. Mr. Fox moved an amendment, cenſuring the miniſtry, for having rather inflamed than healed differences, and praying for their removal. He expatiated on the injuſtice, inexpediency, and folly of the motion, propheſying defeat in America, ruin and puniſhment at home.

MR. DUNNING denied the exiſtence of rebellion, but was fully anſwered by Mr. Thurlow. The character of the Americans, their religious enthuſiaſm and inaptitude for arms, were diſcuſſed with more vehemence than judgment. Captain Luttrell pointed

out

out the evils and inconveniences reſulting from a war with the colonies; diſcuſſed at large the probability of foreign interference, and in ſpeaking of the inefficiency of arms in ſuch a cauſe, concluded with this remark: "The Americans, however, feel as a conſolation that every ſhip and every regiment ſent to Boſton, adds ſtrength to their cauſe; for without much pretenſion to propheſy, I may foretel, that the hiſtory of theſe diſſentions will be ſimilar to that of the troubles in Ireland, in the reign of Elizabeth. That queen, impatient to ſubdue the Iriſh, employed a large army, but the rebels daily gathered ſtrength; Elizabeth demanding the cauſe, was anſwered, that the army there was the true reaſon; for their money had found its way into the country, and enabled her opponents, not only to purchaſe ammunition and warlike ſtores, but even to hire foreign officers." The amendment was negatived[f].

8th Feb. Motion to recommit the addreſs.

On the preſentation of the report, lord John Cavendiſh moved to recommit the addreſs; in the debate, in which the exiſtence of rebellion, and the policy of declaring it, were amply diſcuſſed, Mr. Wilkes would not pretend to decide on the ſtate of Maſſachuſet's Bay; a fit and proper reſiſtance, was a *revolution*, not a *rebellion*. "Who can tell," he ſaid, "whether, in conſequence of this very day's violent and mad addreſs, the ſcabbard may not be thrown away by them as well as by us, and, ſhould ſucceſs attend them, whether, in a few years, the Americans may not celebrate the glorious era of the revolution of 1775, as we do that of 1668. Succeſs crowned the generous effort of our forefathers for freedom, elſe they had died on the ſcaffold as traitors and rebels, and the period of our hiſtory, which does us the moſt honour, would have been deemed a rebellion againſt lawful authority; not a reſiſtance ſanctioned by all the laws of God and man, and the expulſion of a tyrant."

[f] There were two diviſions: on the amendment, the numbers were 304 to 105; on the original motion, 296 to 106.

CHAP. XXV. 1775.

In anſwer to theſe obſervations, it was ſaid, the preſent important criſis, (and one more intricate had not occurred ſince the revolution,) was not more to be attributed to the refractory ſpirit of ungrateful ſubjects on the other ſide of the Atlantic, than to ſome no leſs reſtleſs on this ſide: and as a great miniſter had once boaſted of having conquered America in Germany; ſo it would now be neceſſary to conquer it wholly or partially in England: for till reſtraint could be impoſed on the ſedition ſo conſtantly, artfully, and ſhamefully circulated from hence, and a check given to thoſe incendiaries who breathed forth the inflammatory poiſon conveyed in every news-paper, we could never hope, without the laſt extremities, to bring the wicked leaders of thoſe deluded people to a ſenſe of their duty and obligations. Their proceedings, and the papers before the houſe, evidently proved they were ungratefully aſpiring to be independent; a future age might poſſibly witneſs the accompliſhment of their deſign; but it was the duty of Engliſhmen, by vigilance, to prevent the anticipation of that evil day; remiſſneſs or want of firmneſs would leave an everlaſting ſtain on the preſent age. The declarations of congreſs were traced to the real ſources, and their arrogance in prohibiting Britiſh commodities, was expoſed to deſerved cenſure. "To all nations with whom we are not actually at war," Sir William Mayne obſerved, "we can tranſport our commodities with ſafety; but it is only on the inhoſpitable continent of America, that Britiſh manufactures, the produce of Britiſh induſtry, cannot find an aſylum."

Irreſolution of the miniſter.

Lord North, who had before ſhewn ſome irreſolution and doubt, relative to the meaſures of coercion, by ſtating a willingneſs to repeal the tax on tea, if that conceſſion would ſatisfy the Americans, now diſplayed ſtill greater heſitation. He diſclaimed the taxation of America as an act of his adminiſtration, and traced it to the duke of Grafton: adding, that the quarrel would be terminated, if the conſtitutional right of ſupremacy were

1775.

were conceded to Great Britain. The motion for recommitment was negatived *.

7th Feb. Conference. Debate in the houſe of lords.

A CONFERENCE having been held on the addreſs, the earl of Dartmouth moved for the concurrence of the lords: the marquis of Rockingham, at the ſame time preſented petitions from the American merchants in London, and from the Weſt India planters; and the previous queſtion was demanded on the earl of Dartmouth's motion.

Lord Manſfield's ſpeech.

LORD MANSFIELD, in a long and able ſpeech, deſcanted on the arrogance of the American claims, demonſtrated the futility of the reaſonings uſed to impoſe a belief that the coloniſts contended for an exemption from taxation only, and animadverted on lord Chatham's declaration in a former debate, that in return for a temporary ſuſpenſion, and ultimate repeal of the obnoxious acts, America muſt unequivocally admit the ſupreme legiſlative controuling power of parliament, in every caſe except that of taxation. The congreſs, he remarked, avoided every declaration, equivocal or unequivocal; for all they promiſed was ſubmiſſion to the act of navigation, while they boldly contended for the repeal of every law from which that act could derive force or effect. He minutely analyzed the declarations of congreſs, and the acts of parliament of which they complained, proving, that to annul any, except the tax laws, would be a complete renunciation of ſovereignty. On the petitions he obſerved, that, undoubtedly every claſs of people would feel ſeverely the effects of war, while none could anſwer for its events; the Britiſh forces might be defeated, the Americans might prevail, and Great Britain be ſtripped for ever of the ſovereignty; but the queſtion was, whether the right of the mother-country ſhould be reſolutely aſſerted, or at once relinquiſhed. He argued, from the documents before the houſe, that the colonies were in a ſtate of rebellion, and while he doubted the expediency of taxation, deprecated the conſideration

* 288 to 105.

of

CHAP. XXV. 1775.

of the queſtion in that view, till the right ſhould be fully aſſerted and acknowledged. He condemned the taxes impoſed in 1767, as the foundation of all the troubles and political confuſions; they had thrown the colonies into a ferment, and injured Britiſh commerce, by furniſhing the Americans with a temptation to ſmuggle.

Lord Camden.

LORD CAMDEN combated the aſſertion that the colonies were in rebellion, and entered into a variety of diſtinctions relative to conſtructive treaſon. He diſclaimed all participation in the law for taxing America, having never been conſulted on the ſubject.

Duke of Grafton.

THE duke of Grafton reprobated the conduct of both the law lords; it was mean, he ſaid, in lord Camden, and much beneath the dignity of the exalted ſtation he had filled, when the duties were impoſed, to ſcreen himſelf from the conſequences by imputing the meaſure to others, who, as he was fully conſcious, had no more particular concern in it than himſelf. The act was conſented to, at leaſt, in the cabinet: lord Camden acquieſced in it; he ſat in the chair of that houſe while it paſſed its ſeveral ſtages, and ſignified the royal approbation under the ſeal of his office; and ſhall he now tell the houſe and the public, that it paſſed without his approbation or participation? The duke gladly availed himſelf of the opportunity of teſtifying to the public, that he was not the author of the meaſure; perhaps it was contrary to his judgment; but he reſerved his ſentiments to a future occaſion; every cabinet miniſter who acted and deliberated in that capacity at the time of paſſing a law, ſhould equally ſhare the cenſure or applauſe reſulting from its merits or defects. His grace combated lord Mansfield's arguments againſt the mode of enforcing the act, and lamented the misfortune he ſuffered while miniſter, in being deprived of his aſſiſtance, which he knew was afforded to previous adminiſtrations.

Lord Lyttleton.

LORD LYTTLETON ſpoke with great ſeverity on the doctrine of Lord Camden reſpecting conſtructive treaſons.

treaſons. Thoſe little evaſions and diſtinctions, he obſerved, were the effects of profeſſional ſubtlety, and low cunning; it was highly abſurd to enter into ſuch flimſy obſervations on this or that particular phraſe or word, and thence draw deductions, equally puerile and inconcluſive, that the colonies were not in rebellion. He ſhould not abide by ſuch far-fetched interpretations; but be guided by common ſenſe, and only conſult the papers on the table, to prove beyond queſtion the very reverſe of lord Camden's inference. CHAP. XXV. 1775.

LORD SHELBURNE, hoping the day of inquiry and public retribution would come, when the author of the preſent dangerous meaſures would be diſcovered, and that deſpotic ſyſtem, which had for ſome time governed the colonies be developed, affirmed from his own knowledge, that neither the duke of Grafton nor lord Camden approved of taxing America; his own ſentiments were too well known to require recapitulation; and he intimated that the king was favourably diſpoſed toward the colonies. It was therefore deſerving of inquiry, how this unexpected change was effected, and by what fatal over-ruling influence this great empire was brought to the eve of a civil war? Lord Shelburne.

THE debate now became extremely tumultuary. The duke of Richmond related official anecdotes, tending to cenſure lord Mansfield, who in reply denied the charge of having influenced or directed the preſent meaſures; though, if true, he ſhould glory in it, as he thought them wiſe, politic, and equitable. He diſavowed with manly pride, the low arts uſed to obtain popularity; and while he claimed the merit of ſtriving to deſerve, renounced, with deteſtation, the baſeneſs of courting it; he expoſed the artifices of which he had been witneſs among cabinet-miniſters, to acquire popularity, as the means of forwarding their ambitious or intereſted views; and anſwered the menaces of his opponents with magnanimous defiance: "I am threatened!" he exclaimed; "I dare the authors of thoſe threats to put any one of them in execution. I Duke of Richmond. Lord Mansfield.

am

CHAP. XXV. 1775.

am ready to meet their charges, and prepared for the event, either to cover my adverſaries with ſhame and diſgrace, or in my fall, riſque the remnant of a life nearly drawing to a concluſion, and conſequently not worth much ſolicitude."

Lord Shelburne.

LORD SHELBURNE again preſſed his former obſervations, and more than inſinuated that the chief-juſtice of the King's Bench had not ſpoken the truth: upon which lord Mansfield, with conſiderable warmth,

Lord Mansfield.

lamented that for the firſt time, he witneſſed a deviation from the uſual practice of that houſe, to behave like gentlemen, and accuſed the laſt ſpeaker of uttering groſs falſehoods. Lord Shelburne retorted the

Lord Shelburne. Original motion carried.

charge; and after ſome extraneous ſpeeches relative to the navy, this diſgraceful and indecorous debate was terminated, by adopting the affirmative of the previous queſtion, and agreeing to the addreſs of the

Proteſts.

houſe of commons[1]. A proteſt on each ſubject was entered on the journals.

10th Feb. Augmentation of forces. 19th.

THE king's anſwer to the addreſs was accompanied with a meſſage, in conſequence of which 2000 additional ſeamen, and 4383 land forces were voted, though not without many ſevere cenſures on the conduct of government, the deceit practiſed by miniſters in the ſmall force at firſt demanded, and inſinuations on the inſufficiency of the armament to effect any beneficial purpoſe; the probability of foreign interference was not omitted, and captain Walſingham aſſerted that France had ſeventy-five ſail of the line, one-half of which were manned and fit for actual ſervice.

10th Feb. to the 24th. New England reſtraining bill.

IN purſuance of his plan, lord North introduced a bill for reſtraining the commerce of the New England provinces to Great Britain, Ireland, and the Weſt Indies, and prohibiting them from carrying on, for a limited time, any fiſhery on the banks of Newfound-

[1] The previous queſtion is, Whether the main queſtion ſhall be now put? which was carried by 104 to 29: the diviſion on the principal queſtion was 87 to 27. The proteſts were ſigned by 18 peers.

land, with an exception in favour of individuals who ſhould obtain from the governors of certain provinces, certificates of good behaviour, and take a teſt acknowledging the rights of parliament. CHAP. XXV. 1775.

THE bill was juſtified by the rebellious ſtate of thoſe provinces, as proved by the papers before the houſe: the arguments in its ſupport were, that as the Americans had refuſed to trade with this kingdom, it was juſt to prevent their commerce with other nations. Whatever diſtreſs they might feel, their own conduct left them no right of complaint: they had begun the practice by an aſſociation calculated to ruin our merchants, impoveriſh our manufacturers, and ſtarve the Weſt India iſlands.

THE oppoſition urged the impolicy of deſtroying a trade which could never be reſtored: God and nature, they argued, had given the Newfoundland fiſhery to New, and not to Old England. The penalties confounded the innocent with the guilty; nor was it poſſible for government to iſſue ſuch a proclamation as would afford ſecurity to all who were well intentioned. The bill was calculated to irritate the Americans and ſtarve four provinces; and the danger of the Americans withholding the debts due to Britiſh merchants was ſtrongly urged. Oppoſition.

DURING the progreſs of the bill, petitions were preſented from the American merchants in London, from the merchants of Poole, from the quakers, and from the merchants of Waterford. They were referred to a committee, and many witneſſes examined; but their evidence did not prove the inexpediency of the meaſure. 23th Feb. Petitions. 28th. 28th Feb. to 6th Mar. Evidence.

ON the third reading, Mr. Hartley propoſed an amendment, permitting the importation of fuel, corn, meal, flour, and other victual, carried coaſtwiſe from other parts of America, into the proſcribed provinces. This motion brought before the houſe, in aggravated colours, the queſtion of involving in one common famine the friend and the foe of government; the reſiſting Debate on the third reading.

CHAP. XXV. 1775.

reſiſting adult, the feeble infant, the pregnant female, and the decrepid elder. The people, Mr. Burke obſerved, were already reduced to beggary, and now the beggar's ſcrip was taken from them; even the morſel tendered by the hand of charity was daſhed from the mouth of hunger.

GOVERNOR POWNALL anſwered all theſe arguments by ſtating as a fact, that the New Engliſh colonies (although agriculture was neglected) were in no danger of famine: they were great grazing ſettlements, and the flour and biſcuit imported from Philadelphia and New York were merely articles of luxury for the rich: he therefore ridiculed the imputations of obduracy and cruelty ſo liberally advanced againſt the miniſtry, and conſidering the bill as a mere commercial regulation, withholding indulgences from colonies, who prohibited trade with England, gave it his cordial ſupport. The motion was negatived [m].

15th and 16th Mar. Oppoſition in the houſe of lords.

IN the lords, the bill was oppoſed, as in the lower houſe. Petitions were preſented, and witneſſes examined, to the ſame effect. On the motion for its commitment, the marquis of Rockingham compared the conduct of miniſtry to that of marſhal Rozen, king James the Second's French general in Ireland, who, in order to reduce the garriſon of Derry, collected the wives, children, and aged parents of the beſieged under the walls, there to periſh by famine, or to be maſſacred if they attempted to retreat. "But," the marquis added, "weak, infatuated, and bigotted, as that prince was, his heart revolted at ſuch a horrid expedient for ſubduing his enemies; as ſoon as it reached his knowledge, he immediately countermanded the barbarous order, and left the innocent and unoffending at liberty."

THE miniſterial members explicitly denied the imputation of intending to ſubject the coloniſts to famine: far from thinking themſelves driven to that reſource,

[m] 168 to 58.

they

they conſidered, that in the event of armed reſiſtance, the Americans would afford an eaſy and inglorious conqueſt. "Suppoſe the colonies to abound in men," lord Sandwich injudiciouſly exclaimed, "of what importance is the fact? They are raw, undiſciplined, and cowardly. I wiſh, inſtead of forty or fifty thouſand of theſe brave fellows, they would produce, at leaſt, two hundred thouſand; the more the better! the eaſier would be the conqueſt:—if they did not run away, they would ſtarve themſelves into compliance with our meaſures." The duke of Grafton maintained, that the bill was founded on the principle of retaliation and puniſhment, for an outrage as daring as it was unprovoked, ſtill further heightened and aggravated by reſiſtance to all lawful authority, and almoſt a poſitive avowal of total independence on the mother-country[n].

CHAP. XXV. 1775.

On the third reading, an amendment was made, invalidating protecting certificates obtained from the governors of New Jerſey, Pennſylvania, Maryland, Virginia, and South Carolina, on the ground, that theſe colonies were as much in a ſtate of rebellion as thoſe of New England[o]. The bill, thus altered, not agreeing with its title, the houſe of commons deſired a conference, when the lords withdrew their amendment, and the bill paſſed in its original form. A proteſt againſt it was ſigned by ſixteen peers.

21ſt Mar. Amendment.

Conference. 27th Mar. Amendment withdrawn.

Proteſt.

The amendment of the lords was, in fact, rendered unneceſſary by a bill, which lord North introduced, when the New England reſtraining act had paſſed the houſe of commons, for laying reſtrictions, nearly ſimilar, on the provinces they had ſpecified. It paſſed the lower houſe, not without ſome oppoſition; but no new argument was offered, and in the proceedings of the houſe of lords, neither debate nor proteſt appears.

9th March to 5th April. Bill for reſtraining other colonies.

[n] The numbers for committing the bill were 104 to 29.

[o] The amendment was carried 52 to 21: the amended bill 73 to 21.

CHAP. XXV.

1778. 11th and 27th April. Bounties to Ireland.

To counterbalance the inconveniencies which might be expected from theſe laws, the miniſters allowed bounties on the importation of flax-ſeed, and to Iriſh ſhips engaged in the Newfoundland and Greenland fiſheries, and removed ſome reſtraints which in other reſpects affected the Iriſh commerce.

20th Feb. Lord North's conciliatory propoſitions.

WHILE the bill for reſtraining the trade and fiſheries of the New England provinces was yet depending, lord North, to the ſurpriſe of oppoſition, and of many adherents of miniſtry, brought forward, in a committee, propoſitions for conciliating the differences with America. Adverting to the terms of the addreſs on the American papers, he obſerved, although parliament could never relinquiſh the right of taxation, yet if the Americans would propoſe means of contributing their ſhare to the common defence, the exerciſe of the right might without heſitation be ſuſpended, and the privilege of raiſing their own portion of contribution conceded to the coloniſts. This being the ſenſe, and he believed the very words, in which he moved the addreſs, he propoſed as a reſolution, "That when the governor, council and aſſembly, or general court of any of his majeſty's provinces, or colonies, ſhall propoſe to make proviſion for contributing their proportion to the common defence; to be raiſed under the authorities of the general court, or general aſſembly, and diſpoſable by parliament; and ſhall engage to make proviſion alſo for the ſupport of the civil government, and adminiſtration of juſtice; it will be proper, if ſuch propoſal ſhall be approved by his majeſty in parliament, and for ſo long as ſuch proviſion ſhall be made accordingly, to forbear in reſpect of ſuch province or colony, to levy any duty, tax, or aſſeſſment, except for the regulation of commerce; the net produce of which ſhall be carried to the account of ſuch province, colony, or plantation."

His ſpeech.

To this motion, lord North anticipated objections from various quarters; but the terms being ſuch as

even in the hour of victory, would be good and juſt, he left it to the conſideration of the houſe. It would be a teſt of the American pretenſions: if their oſtenſible cauſes of oppoſition were real, they muſt agree with the propoſition; if they did not, it would become indiſputable that they had other views, and were actuated by other motives. To offer terms of peace was wiſe and humane; if the coloniſts rejected them, their blood muſt be upon their own heads. CHAP. XXV. 1775.

THE miniſter did not err in his conjecture of oppoſition, but he alſo received unuſual ſupport: governor Pownall was a warm advocate for the meaſure; he referred to his paſt conduct as a proof of his attachment to the Americans; his principles were known through the medium of the preſs, and he was intirely independent of the miniſter, and unconnected with oppoſition. He traced the origin of the preſent diſputes to a congreſs at Albany in 1754, at which he was preſent; he had the means of knowing the real opinion of the firſt men of buſineſs and ability in that country, and ſaw the riſe of the preſent criſis. He had, therefore, always, in both countries, recommended ſuch a mode of conduct, as in his judgment was calculated to prevent a rupture; but had the misfortune to find his counſel diſregarded. He now ſaw the coloniſts reſiſting the government derived from the crown, and parliament; oppoſing rights which they had always acknowledged; arming and arraying themſelves, and carrying their oppoſition into force by arms: under ſuch circumſtances, he could not deny the neceſſity which impelled this country to aſſume an hoſtile poſition: the Americans themſelves had rendered it neceſſary. But although he acquieſced in the coercive meaſures of government, he ever looked to pacification, and hailed the propoſition as a dawn of peace. If two adverſe nations were on the eve of war, ſome mediating power might be found to avert the calamity; and conſidering the Americans in the ſame ſituation, he adjured the houſe, and particularly Debate. Governor Pownall ſupports the meaſure.

CHAP. XXV. 1775.

the country gentlemen, to interfere and prevent fatal conſequences. The terms were prudent and candid; and an analyſis of the propoſition proved it, in all its parts, wiſe, politic, and equitable.

Speech of Mr. Fox.

MR. FOX congratulated his friends and the public on the retrograde movement of the miniſter, who, receding from his former ſteps of violence and war, now tried the paths of peace; a change which he attributed to the perſevering efforts of a firm and ſpirited oppoſition. He queſtioned, however, the ſincerity of the motion: it exhibited two faces; to the Americans it offered negotiation and reconciliation, and to the advocates of Britiſh ſupremacy, a reſolution never to abandon that object. This conduct would alienate his friends, while thoſe who ſincerely deſired peace would not truſt the ſpecioufneſs of his offers, and the Americans would reject them with diſdain.

Mr. Jenkinſon.

MR. JENKINSON denied that the propoſition indicated any change of proceedings: on the contrary, it made part of the very meaſures in which the houſe engaged by the late addreſs. So far from being a new propoſition, it was the ſame which Mr. Grenville had made to the colonies the year before he introduced the ſtamp act; and, had the colonies ever propoſed meaſures in this line of common ſervice, government would have been ready to liſten. If the propoſition contained any novelty, it conſiſted in that explicit and definitive mode of explanation, which, if rejected, would leave the colonies without excuſe.

Motion for chairman to leave the chair.

THE great objection to the motion aroſe from its repugnance to the addreſs; an opinion firſt ſtarted by Mr. Welbore Ellis, and ſupported by Mr. Adam, Mr. Dundas, and Mr. Ackland, who moved that the chairman ſhould leave the chair.

Embarraſſment of the miniſter. Extricated by Sir Gilbert Elliott.

LORD NORTH was embarraſſed by this objection, and ſpoke ſeveral times in explanation: Sir Gilbert Elliott at length reconciled the apparent deviation, by obſerving, that the addreſs contained two correſpondent lines of conduct. The one, to repreſs rebellion, protect

protect loyalty, and enforce the laws: for this, the forces had been augmented, money levied, and measures of reſtriction reſorted to. The other concurrent and concomitant line was, indulgence to thoſe who would return to their duty: this, in the addreſs, was neceſſarily intimated in general and vague terms; no definitive and explicit expreſſions could be uſed, unleſs the ſubject had been aſſumed as a particular point of conſideration. The meaſure now propoſed, far from being contradictory to, or inconſiſtent with, the other, was ſo abſolutely connected, that, without it, the plan adopted at the beginning of the ſeſſion would be broken, defective, and unjuſt. CHAP. XXV. 1775.

Colonel Barre vigorouſly attacked the miniſter on the ridiculous ſituation in which he had placed himſelf, and from which he was only extricated by Sir Gilbert Elliott. He expected at firſt that lord North would have loſt many of his old friends, without gaining new. But though the miniſter's new motion would cauſe no new diviſions, yet it was founded on that wretched, low, ſhameful, abominable maxim, which had ſo long predominated, *divide et impera*. This was to divide the Americans; this was to break thoſe aſſociations, to diſſolve that generous union, in which, as one man, they ſtood in defence of their rights and liberties. But they were not, nor could the miniſter conſider them, ſuch gudgeons as to be caught with ſo fooliſh a bait; he meant only to propoſe ſomething ſpecious, which he knew the Americans would refuſe; and thus afford a pretext for calling down tenfold vengeance on their devoted heads, now rendered ten times more odious. But this ſnare would not ſucceed! Colonel Barré.

Lord North again roſe to defend himſelf againſt the charge of a low, mean, fooliſh policy, in grounding his meaſures on the maxim *divide et impera*. "Is it fooliſh, is it mean," he ſaid, "when a people, heated and miſled by evil councils, are running into unlawful combinations, to hold out thoſe terms which Lord North.

CHAP. XXV. 1775.

will ſift the reaſonable from the unreaſonable, diſtinguiſh thoſe who act upon principle from thoſe who wiſh only to profit by the general confuſion and ruin? If propoſitions that the conſcientious and the prudent will accept, will, at the ſame time, recover them from the influence and faſcination of the wicked; I avow the uſe of that principle, which will thus divide the good from the bad, and give aid and ſupport to the friends of peace and good government."

Mr. Burke.

MR. BURKE called the propoſition a contradiction to all the declarations of parliament, a ſhameful prevarication in miniſters, and a mean departure from all their profeſſions: he was willing to purchaſe peace by any humiliation of miniſters or of parliament; but the preſent meaſure was mean without being conciliatory. It was a far more oppreſſive mode of taxation than that hitherto uſed, for it made no determinate demand. The colonies were to be held in durance by troops and fleets, until ſingly and ſeparately they ſhould offer to contribute to a ſervice they could not know, in a proportion they could not gueſs, on a ſtandard which they were ſo far from being able to aſcertain, that parliament had not ventured to hint at the ſcope of their expectations. He compared this conduct to the tyranny of Nebuchadnezzar, who ordered the aſſemblies of his wiſe men, on pain of death, not only to interpret, but to tell him the ſubject of a dream, which he had forgotten. Every benefit, natural and political, muſt be acquired in the order of things, and in its proper ſeaſon. Revenue from free people muſt be the conſequence, and not the condition of peace; if this order were inverted, neither peace nor revenue could be obtained.

Dunning.

MR. DUNNING bantered the miniſter, on the danger he had incurred of loſing his uſual ſupporters, his efforts to retain them, and the timely interference of Sir Gilbert Elliott. He admitted the validity of the objections taken by miniſterial members, and oppoſed the motion, as being, not conciliatory, but ſubtle and treacherous.

CHAP. XXV.

1775.

treacherous. It was, however, adopted by a large majority*. On preſenting the report of the committee, the argument was renewed, but nothing remarkable for novelty or intereſt was urged on either ſide. The reſolution was agreed to without a diviſion. 27th Feb. Reſolution agreed to.

Lord North's plan of conciliation, if indeed conciliation was poſſible, contained no great radical defects; it did not compromiſe the dignity of empire, or require abject ſubmiſſion: moſt of the arguments againſt it uſed by the members generally in oppoſition, were drawn rather from the imputed character of the miniſter, than the nature of the meaſure. Acquieſcence was not, perhaps, ſeriouſly expected by either party; but as the American cauſe was highly intereſting to the oppoſition, it was neceſſary for them to produce a plan of conciliation, for the acceptance of which by the Americans they could pledge their credit, and from the terms of which they might, by compariſon, infer a cenſure of lord North's propoſition. Accordingly, about a month after the miniſter's motion was carried, Mr. Burke propoſed thirteen reſolutions, as the baſis of tranquillity, and the means of obviating all future cauſes of contention. Burke's motion. 22d Mar.

In recommending this meaſure, Mr. Burke made one of his moſt eloquent ſpeeches. It may be conſidered a model of ſkilful pleading; but when the parts of the oration are diſtinctly reviewed and compared, when the partial ſtatements of fact, the fallacious deductions in argument, the palliation of the indignities and injuries ſuſtained by Great Britain, His ſpeech.

* P. 274 to 88. This celebrated debate is deſcribed with characteriſtic wit, by Gibbon: "We go on with regard to America, if we can be ſaid to go on; for laſt Monday a conciliatory motion of allowing the colonies to tax themſelves, was introduced by lord North, in the midſt of fires and fortunes, war and famine; we went into the houſe in confuſion, every moment expecting that the Bedfords would fly into rebellion againſt thoſe meaſures. Lord North role ſix times to appeaſe the ſtorm, but all in vain; till at length Sir Gilbert declared for adminiſtration, and the troops all rallied under their proper ſtandard." See Gibbon's Poſthumous Works, vol. i. p. 490.

CHAP. XXV. 1775.

and the exaggeration of the wrongs done to America, are accurately inveſtigated, the effect ceaſes, and it cannot be conſidered as a foundation for any ſyſtem of action, calculated to promote general good.

In his exordium, Mr. Burke reviewed the ſtate of Great Britain, with regard to America, and ſtated the neceſſity he felt, not unaccompanied with diffidence, of making ſome propoſition for permanent tranquillity. Anger and violence, daily increaſing, were haſtening toward an incurable alienation of the colonies: his propoſition was peace: "Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endleſs negotiations; not peace to riſe out of univerſal diſcord, fomented from principle, in all parts of the empire; not peace to depend on the juridical determination of perplexing queſtions, or preciſion in marking the ſhadowy boundaries of a complex government: but ſimple peace; ſought in its natural courſe, and ordinary haunts; peace ſought in the ſpirit of peace; and laid in principles purely pacific. I propoſe by removing the ground of the difference, and by reſtoring the *former unſuſpecting confidence of the colonies in the mother-country*, to give permanent ſatisfaction to your people; and (far from a ſcheme of ruling by diſcord) to reconcile them to each other in the ſame act, and by the bond of the very ſame intereſt, which reconciles them to Britiſh government."

He attempted to ridicule lord North's propoſition, but took advantage of the acquieſcence of the houſe in it, to reaſon, as on an eſtabliſhed principle, that the American complaints were not without foundation, that conciliation was admiſſible before conceſſion, and to infer that the propoſals ought to originate from Great Britain.

He then viewed the enlarged population of America, and increaſed importance of her trade, both in exports and imports; deſcribing in glowing terms her augmenting

augmenting commerce[q], proſperous agriculture, and enterprizing fiſheries. Such a people ſhould be governed by prudent management; force was not only an odious, but a feeble inſtrument, for preſerving a race ſo numerous, ſo active, ſo growing, ſo ſpirited, in a profitable and ſubordinate connexion. CHAP. XXV. 1775.

In the character of the Americans, he contended, the love of freedom was the predominating feature; a fierce love of liberty, rendered jealous, ſuſpicious, reſtive, and intractable by the appearance of an attempt to wreſt from them by force, or ſhuffle from them by chicane, the only advantage which, in their eſtimation, gave value to life. This ardour for liberty he aſcribed to ſix cauſes:

The deſcent of the Americans from Engliſhmen;

The popular governments of the colonies;

The religious ſpirit of the northern provinces;

The poſſeſſion of ſlaves in the ſouthern, which rendered the owners far more proud and jealous of their freedom;

Their education, which led ſo univerſally to the ſtudy of law, that almoſt all the Americans were lawyers, or ſmatterers in law, and ſucceſsful proficients in the arts of chicane;

And their diſtance from the ſeat of government. "Three thouſand miles of ocean," he exclaimed, "lie between you and your ſubjects. No contrivance can prevent the effect of this diſtance, in weakening government. Seas roll, and months paſs, between the order and the execution: and the want of a ſpeedy explanation of a ſingle point, is enough to de-

[q] In deſcanting on this part of his ſubject, Burke aſſumed that the African, Weſt Indian, and North American trade were ſo interwoven, that the attempt to ſeparate them would tear to pieces the contexture of the whole; and if not entirely deſtroy, would very much depreciate the value of all the parts, and therefore conſidered the three denominations one trade. On this baſis he entered into a compariſon between the exports in 1704, and the exiſting period, ſhewing that within that time, they had encreaſed from 560,930l. to 6,024,471l. and that the trade with America was in 1772 within leſs than 500,000l. of being equal to what, at the beginning of the century, England carried on with the whole world. It is obvious that ſuch commercial ſtatements are eaſily adapted to the views or ſyſtem of the ſpeaker.

feat

CHAP. XXV. 1775.

feat a whole ſyſtem. You have, indeed, winged miniſters of vengeance, who carry your bolts in their pounces to the remoteſt verge of the ſea. But there a power ſteps in, that limits the arrogance of raging paſſions and furious elements, and ſays, 'So far ſhalt thou go, and no farther.' Who are you, that ſhould fret, and rage, and bite the chains of nature? Nothing worſe happens to you than does to all nations, who have extenſive empire; and it happens in all the forms into which empire can be thrown. In large bodies, the circulation of power muſt be leſs vigorous at the extremities. Nature has ſaid it. The Turk cannot govern Egypt, and Arabia, and Curdiſtan, as he governs Thrace; nor has he the ſame dominion in Crimea and Algiers, which he has at Burſa and Smyrna. Deſpotiſm itſelf is obliged to truck and huckſter. The Sultan gets ſuch obedience as he can. He governs with a looſe rein, that he may govern at all; and the whole of the force and vigour of his authority in his centre, is derived from a prudent relaxation in all its borders. Spain, in her provinces, is, perhaps, not ſo well obeyed as you are in yours. She complies too; ſhe ſubmits; ſhe watches times. This is the immutable condition, the eternal law of extenſive and detached empire."

FROM theſe inveſtigations, he proceeded to examine the means by which a new government had been eſtabliſhed without the ordinary artificial media of a poſitive conſtitution, better obſerved than the ancient government in its moſt fortunate periods, and yet formed in the midſt of anarchy. Againſt the daring and ſtubborn ſpirit which could achieve ſuch a prodigy, only three modes of proceeding could be found: to change it by removing the cauſes; to proſecute it as criminal; or, to comply with it as neceſſary. Examining diſtinctly each of the cauſes he had before aſſigned, the orator ſhewed the impracticability of changing thoſe which were moral, and removing thoſe which were natural. The ſecond mode was too

vaſt

vaſt for his ideas of juriſprudence; he knew not the method of drawing up an indictment againſt a whole people, and felt rather mortified than honoured by being a judge in his own cauſe; nor were the criminations hitherto adopted, attended with a correſpondent effect. Maſſachuſet's Bay was declared in rebellion, but no individual was convicted or even apprehended; meaſures of coercion were reſorted to, rather reſembling a qualified hoſtility againſt an independent power, than the puniſhment of rebellious ſubjects.

CONCILIATION and conceſſion then alone remained; the colonies complained of being taxed in a parliament where they were not repreſented. If they were to be ſatisfied, it muſt be by giving them the boon they aſked; not another of a kind totally different, but which might be thought better for them. He deprecated all diſcuſſion on the right, as foreign from the queſtion, which related merely to expediency. Whether the grant of money was a private power reſerved out of the general truſt of government, and how far mankind in all forms of polity were entitled to an exerciſe of that right by the charter of nature? Or whether, on the contrary, a right of taxation was involved in the general principle of legiſlation, and inſeparable from the ordinary ſupreme power? "Theſe," he ſaid, "are deep queſtions where great names militate againſt each other; where reaſon is perplexed; and an appeal to authorities only thickens the confuſion. For high and reverend authorities lift up their heads on both ſides; and there is no ſure footing in the middle. This point is the *great Serbonian bog betwixt Damiata and Mount Caſius old, where armies whole have ſunk.* I do not intend to be overwhelmed in that bog, though in ſuch reſpectable company." A title and arms to ſupport it were of no uſe, if reaſon tended to convince him that the aſſertion of his title would be the loſs of his ſuit, and that he could only wound himſelf with his own weapons.

He

CHAP. XXV. 1775.

He was not determining a point of law, but reſtoring tranquillity.

He then proceeded ſeparately to develope his propoſitions, and to deſcant on each. They recited the unrepreſented ſtate of the colonies, and the injuſtice of taxing them by a Britiſh parliament. Diſtance prevented their ſending deputies to England, and they had general aſſemblies of their own legally authorized to raiſe taxes. Thoſe aſſemblies had frequently granted large ſubſidies to the king, which had been found a more agreeable and beneficial manner of conducing to the public ſervice than acts of parliament. The remaining propoſitions were to repeal the tax act of 1767; the Boſton port act; the Maſſachuſet's Bay judicature act; and the act for altering the charter of that colony; to explain and amend the ſtatute of Henry VIII. for trial of treaſons committed out of the realm; to render the judges appointed by the general aſſemblies irremovable, but by the king in council, on a repreſentation or complaint from one branch of the colonial legiſlature, and by regulating the courts of admiralty, to render them more commodious to the ſuitors.

On each of theſe reſolutions he deſcanted with much ability, quoting hiſtorical facts, citing the precedents of Ireland, Wales, Cheſter, and Durham, to ſhew the expediency of giving conſtitutional rights, inſtead of impoſing taxes, and inferring from every mode of argumentation, and every teſtimony of experience, the practical benefits to be derived from his plan.

He anticipated, and endeavoured to obviate ſome objections, and attempted to reconcile the houſe to the cauſe of the Americans, by ſaying, they did not in any general way, or in any cool hour, go much beyond the demand of immunity in relation to taxes, and they had no intereſt contradictory to the grandeur and glory of England. He called lord North's plan a project of ranſom by auction, and, after a long analytical

CHAP. XXV. 1775.

analytical compariſon, gave his own a decided preference, as deriving a larger fund from proſperous gratitude, than could be obtained by compulſive oppreſſion. "What is the ſoil or climate," he exclaimed, "where experience has not uniformly proved, that the voluntary flow of heaped up plenty, burſting from the weight of its own rich luxuriance, has ever run with a more copious ſtream of revenue, than could be ſqueezed from the dry huſks of oppreſſed indigence, by the ſtraining of all the politic machinery in the world."

He declared, in the ſtrongeſt terms, the utter impoſſibility of receiving a revenue in England, tranſmitted from America, and argued, from the example of Bengal, where the ſums received in taxes were refunded by loan, that no fiſcal emolument could be expected from a diſtant country. Bengal was peculiarly qualified to produce and tranſmit wealth; America had none of theſe aptitudes. If ſhe gave taxable objects, on which to lay duties here, and a ſurplus by a foreign ſale of her commodities, ſhe performed her part to the Britiſh revenue. With regard to her own internal eſtabliſhments, ſhe might, and doubtleſs would, contribute in moderation;—in moderation; for ſhe ought not to be permitted to exhauſt herſelf. "Magnanimity in politics is not ſeldom the trueſt wiſdom; and a great empire, and little minds, go ill together. If we are conſcious of our ſituation, and glow with zeal to fill our place as becomes our ſtation, and ourſelves, we ought to elevate our minds to the greatneſs of that truſt to which the order of Providence has called us. By adverting to the dignity of this high calling, our anceſtors have turned a ſavage wilderneſs into a glorious empire; and have made the moſt extenſive, and the only honourable conqueſts; not by deſtroying, but by promoting, the wealth, the number, the happineſs of the human race. Let us get an American revenue, as we have got an American

CHAP. XXV. 1775.

can empire. Engliſh privileges have made it all that it is: Engliſh privileges alone will make it all it can be."

Debate.

It appears that theſe propoſitions were vigorouſly combated, and a long and animated debate maintained, in which the principal ſpeakers on the miniſterial ſide, were, Mr. Thurlow, Mr. Jenkinſon, Mr. Cornwall, and lord Frederick Campbell; but their ſpeeches are not preſerved. The inſidiouſneſs of the propoſitions was pointed out, and the attempt to introduce a neceſſity of yielding every object of conteſt, under the notion of affirming an obvious truth, was ſeverely cenſured. The mere truth of an axiom did not prove of courſe the propriety of making it the ſubject of a vote: and as the houſe had frequently reſolved not to ſanction the unconſtitutional claims of the Americans, they could not admit reſolves leading directly to a conceſſion of them. No aſſurance was offered, that if the propoſitions were adopted, the coloniſts would make dutiful returns; and thus the ſcheme, purſued through ſo many difficulties, of making that refractory people contribute their juſt proportion to the expences of the whole empire, would be rendered abortive. It was further inſiſted, that not the American aſſemblies, nor any other body, except parliament alone, could, conſiſtently with the bill of rights, levy money for the uſe of the crown; and that any miniſter, who ſuffered the grant of a revenue from the colonies in ſuch a manner, would merit impeachment. All inferior aſſemblies in the empire were like corporate towns in England, capable of making bye-laws for their own municipal government alone, and nothing further.

Propoſitions rejected.

The reſolutions were ſupported by lord John Cavendiſh, Mr. Hotham, Mr. Tuffnell, alderman Sawbridge, and Mr. Fox; but the firſt being loſt by a motion for the previous queſtion[1], the remainder

[1] 270 to 78.

were

CHAP. XXV.

1775.

were similarly disposed of, or negatived without a division[a].

27th March. Mr. Hartley's plan.

Not discouraged by the failure of Mr. Burke's plan, Mr. Hartley, a few days afterwards, introduced a new conciliatory project, not greatly differing from that which lord Chatham tendered to the house of lords. It was prefaced by a long and able speech, and concluded with a motion, that letters of requisition should, by the king's command, be written to the North American provinces, to make provision for their own defence, and the answers laid before the house. The debate did not produce any novelty in fact or argument, and the motion was negatived without a division; as were three others made by the same member, for suspending, during a limited period, the operation of the three acts of the last session, relative to Massachuset's Bay.

Negatived.

15th May. New York Remonstrance.

Toward the close of the session, Mr. Burke produced to the house a representation and remonstrance from the general assembly of New York, for which colony he was agent. It was introduced by an assertion, undoubtedly true, that New York yielded to no part of the king's dominions, in zeal for the prosperity and unity of the empire, and had ever contributed as much as any, in its proportion, to the defence and wealth of the whole. He candidly owned he did not expect the house would approve of every opinion contained in the paper; but as its general language was decent and respectful, he moved, after recapitulating the heads, for leave to bring it up.

[a] Burke's speech was published, and is printed in vol. ii. of his works. The statement of the arguments on the other side is taken from a very confused report in Debrett's Debates, and from the Annual Register for 1775, p. 108*. Dr. Tucker, in two tracts, intitled, "A Letter to Edmund Burke, Esq. in answer to his printed speech," and "An humble Address and earnest Appeal," has minutely investigated, and often triumphantly refuted Burke's positions and deductions. In point of style, Tucker is not to be compared with his antagonist, and he often attacks him on his employment as agent for the colony of New York, his equivocations, and his factiousness in opposition, which the Dean calls mock patriotism, in a manner which the provocations given by Burke can hardly justify; but Dr. Tucker took an uncommon view of political and commercial subjects, which he treated with much good sense.

The

CHAP. XXV. 1775.

THE remonſtrance was ſimilar to thoſe received from other parts of America, claiming the ſame rights, complaining of the ſame grievances, though avowedly not extended to the petitioners, and demanding the repeal of the ſame acts of parliament. This paper afforded a ſufficient proof, that the arts by which the other colonies had been inflamed were not without ſucceſs in New York.

Rejected.

LORD NORTH, paying a juſt tribute to the diſpoſition hitherto manifeſted by that province, and profeſſing an inclination to relieve them in one of the ſubjects of complaint, the Quebec duties, moved an amendment, by which the petition would not be received, alleging, that although parliament had already relaxed in very eſſential points, they could not hear any thing which tended to call in queſtion the right of taxing. After ſome debate, the amendment was carried [t].

16th May. In the houſe of lords.

THE duke of Mancheſter offered a paper ſomewhat ſimilar, from the ſame body, to the upper houſe, but as he declined ſtating the general heads, the houſe could not receive it, conſiſtently with the accuſtomed forms of parliament [u].

[t] 186 to 67.

[u] 45 to 29. The earl of Effingham particularly exerted himſelf in this debate. He was bred to arms, and from an eager deſire to become a practical ſoldier, ſerved as a volunteer in the Ruſſian army, during the late war with the Turks. The twenty-ſecond regiment of foot, in which he held a captain's commiſſion, being ordered to America, he reſolved, though not poſſeſſed of an ample patrimony, to reſign a darling profeſſion, and all hopes of advancement, rather than bear arms in a cauſe he did not approve. In this debate he expreſſed his ſentiments on this ſubject in the following terms: "Ever ſince I was at an age to have ambition at all, my higheſt has been to ſerve my country in a military capacity. If there was on earth an event I dreaded, it was to ſee this country ſo ſituated, as to make that profeſſion incompatible with my duty as a citizen. That period is, in my opinion, arrived; and I have thought myſelf bound to relinquiſh the hopes I had formed, by a reſignation, which appeared to me the only method of avoiding the guilt of enſlaving my country, and embruing my hands in the blood of her ſons. When the duties of a ſoldier and a citizen become inconſiſtent, I ſhall always think myſelf obliged to ſink the character of a ſoldier in that of the citizen, till thoſe duties ſhall again, by the malice of our real enemies, become united. It is no ſmall ſacrifice which a man makes who gives up his profeſſion; but it is a much greater, when a predileſtion, ſtrengthened by habit, has given him to ſtrong an attachment to his profeſſion as I feel. I have, however, this conſolation, that by making that ſacrifice, I at leaſt give to my country an unequivocal proof of the ſincerity of my principles." The cities of London and Dublin voted him their thanks for this conduct. Hiſtory of lord North's adminiſtration, p. 202.

ATTEMPTS

CHAP. XXV.

1775.

Attempts to repeal the Quebec act.

ATTEMPTS were made in both houſes, nearly at the ſame time, to procure a repeal of the act for eſtabliſhing the government of Quebec. In the lords, the motion was made by lord Camden, in the commons, by Sir George Savile. Both took for their foundation petitions ſigned in November 1774, by a hundred and eighty-four perſons, complaining of the privation of the habeas corpus, and the trial by jury. The arguments againſt the act embraced the topics of laſt ſeſſion, and the uſual invectives againſt popery; and the defence was conducted on the principles originally advanced in ſupport of the meaſure, with additional obſervations, derived from experience. The motions for repeal were negatived [w].

Other preceedings in parliament.

NOTWITHSTANDING the magnitude, difficulty, and importance of the proceedings reſpecting America, ſeveral other objects engaged the attention of parliament in the courſe of this active ſeſſion. Alderman Sawbridge made his annual motion for ſhortening the duration of parliament, and was ſupported in a long ſpeech by Mr. Wilkes; who alſo applied for a reviſal of the proceedings relative to his election for Middleſex; but both propoſitions were rejected [x]. On the motion of Mr. Gilbert, a committee was appointed to examine into the ſtate of the poor laws; and in conſequence of a meſſage from his majeſty, the palace in St. James's park, called Buckingham-houſe, was purchaſed, and ſettled on the queen, in lieu of Somerſet-houſe, which was afterwards converted to public uſes.

1ſt Feb.

22d Feb.

27th Mar.

12th April.

AT the concluſion of the ſeſſion, the king expreſſed his intire ſatisfaction at the conduct of parliament, and augured the moſt ſalutary effects, from meaſures formed and conducted on ſuch principles.

26th May. Prorogation.

[w] In the lords 88 to 28. In the commons 174 to 86.

[x] "On Wedneſday," ſays Gibbon, "we had the Middleſex election. I was a patriot; ſat by the lord-mayor, who ſpoke well, and with temper, but before the end of the debate fell faſt aſleep."

## CHAPTER THE TWENTY-SIXTH.

### 1775—1776.

*State of Boſton.—Conduct of New York.—Meeting of the provincial congreſs of Maſſachuſet's Bay.—Proceedings in other provinces.—Attempt of Gage to ſeize cannon at Salem.—Expedition to Concord.—Hoſtilities at Lexington.—Contradictory ſtatements.—Blockade of Boſton by the Americans.—Exertions of the provincial congreſs.—Lord North's conciliatory propoſitions referred to the aſſembly of Pennſylvania—and rejected—the ſame in other colonies.—Sitting of the general congreſs.—Their firſt meaſures.—Arrival of reinforcements.—Gage proclaims martial law.—Bunker's hill fortified by the Americans—ſtormed by the Engliſh.—Proceedings of congreſs.—Acceſſion of Georgia to the confederacy.—Waſhington appointed commander in chief.—Declaration of congreſs.—State of their army.—Inertneſs of the Britiſh army.—Congreſs vote an addreſs to the legiſlature of Jamaica.—Reject the conciliatory propoſitions.—Expedition againſt Canada undertaken.—Capture of Ticonderoga.—Crown Point.—Skeneſborough—and the ſloop Enterprize.—Diſſimulation of congreſs.—Their addreſs to the people of Canada.—Exertions of general Carleton.—Canada invaded.—Siege of St. John's.—Fort Chamblee taken.—St. John's capitulates.—Ethan Allen taken priſoner.—Montreal evacuated.—Expedition of Americans through the Wilderneſs.—Maclean defends Quebec.—Arnold repulſed.—Judicious proceedings of Montgomery.—Joins in beſieging Quebec.—State of the American army.—Aſſault of Quebec.—Death of Montgomery.—Failure of the enterprize.—Quebec blockaded.—Tranſactions in Virginia.—Lord North's propoſitions rejected.—Conteſt between lord Dunmore and the aſſembly—he retires on board a man of war.—Carries on predatory hoſtilities—proclaims martial law—emancipates the ſlaves.—Town of Norfolk burnt.—Lord Dunmore abandons the colony.—Failure of Connelly's project.—Tranſactions in North Carolina.—The governor driven away.—The*

*—The like in South Carolina.—Aſcendancy of congreſs.—Gage recalled.—Americans iſſue letters of marque.—Falmouth deſtroyed.—General view of events.*

CHAP. XXVI.

1775.

State of Boſton.

NOTWITHSTANDING the contributions raiſed in other colonies, the people of Boſton experienced great diſtreſs: a populous and commercial town ſuddenly deprived of its uſual means of ſupport and proſperity, was reduced to an abject dependence on eleemoſynary benevolence; the inclemency of the winter increaſed the general miſery; none were totally exempt from inconvenience, and many were plunged in the deepeſt calamity. The reſtraints of law were ſuſpended; yet ſuch was the fervour of party enthuſiaſm, that no violence or diſorder was committed, except in the ſtruggles between the opponents of government and the military; and perhaps even theſe were greatly exaggerated. But the ſufferings ſo generally experienced could not fail of producing a proportionate ſhare of reſentment; and although the military force was ſufficient to prevent ſerious attempts, the ſpirit of animoſity and reſolute reſiſtance was aſſiduouſly kept alive, and inflamed by every ſpecies of publication and addreſs.

THE reſolutions of congreſs afforded room for many conteſts; but the diſperſion of the members over the whole continent, the zeal reſulting from the novelty and arduouſneſs of their ſituation, as well as a ſtrong political bias, the ſtrenuous efforts of the correſponding committees, and the inflamed ſtate of the public mind, gave the opponents of government many advantages over its friends. The exertions of the popular faction were violent and inceſſant, extending in every direction, and appealing to every motive of reaſon and of prejudice; thoſe of the government party were comparatively feeble and languid, generally tending to remedy or obviate ſome diſorder or miſrepreſentation, and often not adopted till the occaſion had ceaſed, or was grown unimportant.

CHAP. XXVI.

1775. 23d Jan.

Conduct of New York.

THE assembly of New York rejected the proceedings of congress on a solemn debate, as did a few towns [a] in other colonies: but their example was not calculated to produce general effect; and even the assembly of New York, before the termination of its sitting, voted an address complaining of many grievances, and requiring many remedies petitioned for by congress. On the other hand, unremitting endeavours were used to familiarize to the people the idea of having recourse to arms, and to furnish them with means of making forcible resistance [b].

Effect of the king's speech.

THE king's speech on opening the session of parliament, greatly increased the popular discontent. Violent resentments were expressed at the imputation of a prevailing disposition to disloyalty; it was resolutely denied by several provincial congresses, who declared that a *due* submission to the *constitutional* laws of their country was the great characteristic of the American people.

4th Feb. Meeting of the provincial congress of Massachuset's Bay.

IN pursuance of their resolution at the last adjournment, the provincial congress of Massachuset's Bay met at Cambridge. In an address to the people, they expressed fears that, from the disposition of the British ministry and parliament, reasonable and just applications for peace, liberty, and safety, would not meet with a favourable reception: but on the contrary, from the large reinforcements expected, the tenor of intelligence, and general appearances, their sudden destruction was particularly intended, for refusing, with the other American colonies, tame submission to the most ignominious slavery. They recommended encourage-

[a] The inhabitants of Barnstaple in New England, at a town-meeting (January 4th, 1775) rejected by large majorities the resolutions and proceedings of congress; at Ridgefield in Connecticut, a special town-meeting was held, and the proceedings of congress renounced with only three dissentient voices. Loyal associations were formed, and the king's authority explicitly avowed in several towns, and by a small party even in Boston.

[b] The town of Marblehead resolved, "That as the greater part of the inhabitants might soon be called forth to defend the charter and constitution of the province, a considerable advance of pay should be made to the militia; and decreed the raising of a sum of money for that purpose."

ments

ments to perſons ſkilled in manufacturing fire-arms and bayonets, and covenanted to purchaſe as many as could be produced within a certain time. They declared the higheſt deteſtation of all who preſumed to ſupply the royal troops with military or building ſtores; exhorted the militia and minute-men [c] to ſpare neither time, pains, nor expenſe, in acquiring diſcipline, and to procure ſkilful inſtructors for companies not already provided.

Proceedings in other provinces.

Pennſylvania.

SIMILAR meaſures, though not perhaps to the ſame extent, were adopted in ſeveral other colonies. Pennſylvania was the firſt, which in a provincial convention approved the reſolutions of the general congreſs; and adopted means for ſupplying the province, from its internal reſources, with the articles neceſſary for ſubſiſtence, clothing, and defence.

Virginia.

Virginia was forming military companies;

Connecticut.

Connecticut boaſted of a park of forty pieces of cannon, and ten thouſand ſoldiers;

Maryland.

and in Maryland great exertions were uſed, and even force recurred to for the purpoſe of augmenting the patriotic levies.

Attempt to ſeize cannon at Salem.

GENERAL GAGE made ſome efforts to prevent the ſucceſs of ſuch proceedings in his government, but his meaſures were not projected with ſufficient judgment, nor arranged with ſufficient ſecrecy for the urgency of the occaſion, and the ſubtilty of his opponents. While the public mind was highly exaſperated, and the rage againſt the military reſtrained only by the dread of their proweſs, no enterprize ſhould have been undertaken which was not of great importance in itſelf, and in which the means of ſucceſs were not ſo combined as to render diſappointment impoſſible. But General Gage was of an unſuſpicious confiding diſpoſition; ſlow to believe that the Americans would urge oppoſition to the laſt extremities; tardy in adopting meaſures of coercion, and eaſily diſpoſed to ſuſpend compulſive efforts. Having received intelligence that ſome ordnance was depoſited at Salem,

[c] So called from their engaging to be ready at a minute's notice.

CHAP. XXVI.

1775. 26th Feb.

lem, he diſpatched a field-officer with a ſmall detachment on board a tranſport to ſeize it. This force purſued with eagerneſs a falſe information, were arreſted in their courſe by the proprietor of a private road, and baffled in their attempt to paſs a ſmall river by the deſtruction of the ferry boat, which was cut through with axes before their eyes; they were then obliged to avail themſelves of the interceſſion of a clergyman, who, to prevent effuſion of blood, and ſave their honour, obtained permiſſion for them to make a ſmall progreſs; and they finally returned to Boſton without accompliſhing their inſtructions. In this frivolous expedition, they diſplayed the utmoſt coolneſs and diſcipline; but their diſgrace in being foiled, afforded ground for exultation to the provincials, and diminiſhed the impreſſion made by the preſence of an armed body.

Expedition to Concord.

THIS failure might have warned general Gage againſt the bad policy of purſuing expeditions with an inſufficient force up the country, where every hour's march ſtrengthened the enemy, and rendered retreat more dangerous and precarious. Such efforts encouraged attack, and incurred the riſk of defeat at the moſt critical moment of the conteſt. Yet his next attempt was of a ſimilar nature. Having learned that military and naval ſtores, purchaſed for the provincial congreſs, were depoſited at Concord, he confided to lieutenant-colonel Smith, and major Pitcairne of the marines, the command of a ſecret expedition, compoſed of grenadiers and light infantry, to ſeize or deſtroy them.

18th April.

THERE is reaſon to believe, that notwithſtanding the precautions taken, intelligence of the general's intentions had tranſpired *. The troops were embarked during the night in boats, and conveyed up Charles river, to a place called Phipps's farm: they landed before day, and in order to keep their march profoundly ſecret, ſeized all paſſengers; yet they had ad-

* See Stedman, vol. i. p. 110; Almon's Remembrancer for 1775, p. 81.

vanced

CHAP. XXVI. 1775.

vanced only a few miles, when they perceived by the firing of guns and ringing of bells, that the country was alarmed. Colonel Smith immediately detached ſix companies of light infantry to ſecure two bridges on different roads, leading from Concord, and on the other ſide of that town.

19th. Hoſtilities at Lexington.

AT five o'clock in the morning, they reached Lexington, fifteen miles diſtant from Boſton, near which they perceived a military corps exerciſing on a green; theſe perſons were peremptorily ſummoned to throw down their arms and diſperſe; the former part of the injunction was diſregarded, the latter ſullenly obeyed, and while the Americans were in the act of retreating, ſome pieces were diſcharged at the king's troops from behind a ſtone wall, and from adjoining houſes: the fire was inſtantly returned, and ſeveral Americans were killed and wounded.

Stores deſtroyed at Concord.

THE advanced detachment was, in conſequence of this delay, joined by the grenadiers; they proceeded to Concord, and deſtroyed ſome ſtores; but the light infantry, poſted at the bridge, were obliged to maintain their poſition by firing on the militia, of whom near four hundred were aſſembled, and who returned the fire.

The troops haraſſed in their return.

WHEN the detachment began their retreat to Boſton, the whole country was alarmed; the minute-men, volunteers, and militia, aſſembled from all quarters, and were poſted among trees, in houſes, and behind walls, whence they greatly annoyed the king's troops; while a ſtrong body, hourly reinforced, preſſed on their rear. Spent with fatigue, and haraſſed by an inceſſant and effectual, though irregular fire, the ſoldiers were driven before the Americans to Lexington, where they were fortunately met by a diviſion under lord Percy, conſiſting of ſixteen companies of foot, and ſome marines, who had marched to ſuſtain them. Colonel Smith's detachment, completely exhauſted, lay down on the earth to recover ſtrength, while the troops under lord Percy formed a hollow

CHAP. XXVI. 1775.

square, incloſing them, and adminiſtering refreſhment.

THE united companies proceeded toward Boſton, haraſſed by the Americans, who from their places of ambuſh kept up an inceſſant fire, running from front to flank, and from flank to rear, loading their pieces at one place, and diſcharging them at another, in a manner which rendered it impoſſible to aſſault them in return.

AFTER evading an inſidious attempt to lure them to their doom, by falſe intelligence reſpecting a ford, the detachment reached Boſton about ſun-ſet, not leſs diſpirited by the incidents, than exhauſted by the fatigues of their long and diſtreſſing march. The whole force amounted to about about eighteen hundred men; ſixty-five were killed, a hundred and eighty wounded, and twenty-ſeven miſſing, of whom ſeveral were ſcalped, or had their ears cut off by the Americans. The provincials loſt, according to their own accounts, about fifty killed and thirty-eight wounded.

Obſervations and view of the contradictory ſtatements.

SUCH were the proceedings of this day, in which blood was firſt drawn in battle, between Great Britain and her colonies. Aſſertions diametrically contradictory were advanced, reſpecting the origin of hoſtility: the queſtion will not now be very intereſting, conſidering the great events which enſued and which were not influenced by that fact. The ſtate of animoſity againſt government, and the open declarations of the demagogues, left no doubt that force would be ultimately reſorted to in deciding the differences: the collecting of military ſtores, the pains taken to alarm the country, and the drawing up of an armed body to oppoſe the progreſs of the king's troops, render indiſputable the hoſtile diſpoſitions of the Americans, and clearly indicate their reſolution to try their ſtrength on that day; the Britiſh forces, in the recent expedition to Salem, and on many other occaſions, had ſhewn incredible forbearance in ſuſtaining every ſpecies of inſult, without having recourſe to extremities; and the aſſertion,

CHAP. XXVI. 1775.

assertion, that they were first assailed is supported by probability; although many witnesses gave direct testimony to the reverse [c].

Effects of the event.

The advantages derived from the expedition were but trifling, as great part of the stores had been previously removed; while the injury accruing to the cause of government was extensive and permanent. The circumstances of the day afforded the enemy an opportunity of throwing odium on the king's troops, and enabled them to excite the timid to resistance, and confirm the wavering in sentiments of decided and unlimited opposition. Discipline and valour had been baffled by energy and cunning; those who were not engaged in the contest, became enflamed with emulation; longed to share the glory of driving before them the British troops; and talked with confidence of expelling them from Boston. Their zeal was farther excited by an untrue report, industriously circulated, that one object of the expedition was the seizure of John Hancock and Samuel Adams, two distinguished members of congress.

Boston blockaded by the Americans.

It is well observed by a writer friendly to the Americans, that as force was to decide the contest, it was fortunate for them that the first blood was drawn in New England, where the inhabitants are so connected by descent, manners, religion, politics, and a general equality, that the destruction of an individual interested the whole community, and excited general indignation. The militia from all parts of the province poured in, and an army was soon formed of twenty thousand men, under the command of colonels Ward, Pribble, Heath, Prescott, and Thomas, officers who had served in provincial regiments in the last war, and now acted as generals. The head-quarters were fixed at Cambridge, and a large detachment from Connecticut having joined them under Putnam, a veteran, who

[c] See accounts on both sides, in the London Gazette, 10th July, 1775—Stedman—Andrews—Ramsay—Morse's American Geography—Almon's Remembrancer, 1775—and the depositions published by the Americans.

had

CHAP. XXVI. 1775.

had acquired knowledge and experience in the laſt two wars, a line of encampment was formed of thirty miles in extent, reaching from the river Myſtic on the left, to Roxburgh on the right, and incloſing Boſton in the centre; while Putnam took a poſition from which he could extend ſuccours to thoſe parts of the line of encampment which were neareſt to Boſton: the ſtrength of the works from the Neck preſerved that town from aſſault, but it was cloſely blockaded.

2nd April. Gage permits families to quit Boſton;

To prevent co-operation in caſe of an attack, which, however deſperate, was daily expected, general Gage entered into a compact with the inhabitants, permitting them to leave the town, with their families and effects, on giving up their arms. Many, wiſhing to avail themſelves of this agreement, performed their part of the ſtipulation; but it was ſpeedily repreſented, that the enemies of government alone were diſpoſed to quit Boſton, by which means the danger of the well-diſpoſed was greatly increaſed, as in caſe of an aſſault, their lives and properties alone would be expoſed. In conſequence of theſe intimations, paſſports were not granted without delays and difficulties; effects, it was contended, did not include merchandize; the wives and children of thoſe who abſented themſelves were deemed deſirable hoſtages, and thus ſeparations of families enſued. General Gage, in vindication of theſe proceedings, iſſued a proclamation, aſſerting, that all the arms had not been delivered up; but the inhabitants bitterly complained of the infraction of the agreement [f].

but afterwards reſtrains them.

Exertions of the provincial congreſs.

The provincial congreſs, which was now removed to Watertown, ten miles from Boſton, ſhewed their conſideration for the beſieging army, by making proviſions for cloathing, and fixing a liberal pay for the officers and ſoldiers. They alſo eſtabliſhed rules for governing the military force [g], and voted a large ſum,

[f] Ramſey's Hiſtory of the American Revolution, vol. i. p. 189.

[g] See theſe rules, which, with their introductory recitals, are worthy of notice as indicating the unaltered puritanical ſpirit of the people, in Almon's Remembrancer, vol. i. p. 120.

to

CHAP. XXVI. 1775.

to be iſſued in paper currency, for defraying its expenſes, for the redemption of which paper the faith of the province was pledged. They drew up an addreſs to the inhabitants of Great Britain, juſtifying the late conflict; complaining, in acrimonious terms, of the conduct of the regulars; profeſſing great loyalty, but appealing to heaven for the juſtice of their cauſe, and declaring their reſolution not to ſubmit to the perſecution and tyranny of a cruel miniſtry, but to die or be free. They alſo reſolved, that as general Gage had, by the late tranſactions, diſqualified himſelf from ſerving that colony as governor, or in any other capacity, no obedience was due to him, but he was to be guarded againſt as an unnatural and inveterate enemy.

5th May.

Conduct of other Provinces.

While ſo much ardour, zeal, and reſolution, were diſplayed in Maſſachuſet's Bay, the other provinces were not backward in exhibiting a conſentaneous ſpirit. On receiving news of the affair at New York, the populace at Lexington ſeized the magazine of arms, and unladed two proviſion-veſſels deſtined for the troops at Boſton; formed themſelves into military companies, choſe officers, diſtributed arms, called a provincial congreſs, and adopted all the violent meaſures which they had hitherto ſo cautiouſly avoided. In Philadelphia, even the quakers took up the ſword, excepting only the aged and the heads of meetings. At ſome places the magazines were ſeized; in New Jerſey the treaſury; and a general prohibition was impoſed on the exportation of proviſions.

22d April. New York.

Philadelphia.

Exportation of proviſions prohibited.

During this ferment, lord North's conciliatory propoſitions arrived, and were firſt referred to the aſſembly of Pennſylvania, introduced by a perſuaſive and lenient addreſs from Mr. Penn, the governor, who ſolicited temper, calmneſs, and deliberation, in conſidering the plan of reconciliation held out by the parent to her children; deſcanted on the equity, moderation, and kindneſs of the terms, congratulated them on being the firſt colonial aſſembly to whom the propoſitions had been ſubmitted, and endeavoured, from

3d May. Conciliatory propoſitions referred to the aſſembly of Pennſylvania;

CHAP. XXVI.

1775.

from this circumſtance, to incite a deſire of being inſtrumental in reſtoring public tranquillity, and reſcuing both countries from the calamities of civil war.

4th May. and rejected.

THE houſe, unmoved by theſe conſiderations, declared, without a diſſentient voice, that they ſhould eſteem it a diſhonourable deſertion, to adopt a meaſure ſo extenſive in its conſequences, without the advice and conſent of thoſe colonies engaged with them by ſolemn ties, in an union founded on juſt motives, and conducted by general councils. They could form no proſpect of laſting advantages for Pennſylvania, however agreeable at the beginning, but what muſt ariſe from a communication of rights and proſperity; and if ſuch a proſpect ſhould be opened, they had too ſincere an affection for their brethren, and too ſtrict a regard for the inviolable performance of their engagements, to receive any pleaſure from a benefit equally due to other colonies, yet confined to themſelves, and which, by their temporary generous rejection, might be ſecured to all. In concluſion, they deprecated the calamities of civil war, which they conſidered a dreadful misfortune, only to be exceeded by an utter ſubverſion of the liberties of America.

Rejected alſo in other provinces.

OTHER colonial aſſemblies followed the precedent of Pennſylvania; adding various reaſons which were probably ſuggeſted by the arguments of oppoſition in parliament. Some regarded the propoſitions merely as a ſcheme for diſſolving their union; ſome conſidered them not ſatisfactory, becauſe the amount of the contribution was not left in their diſcretion, but to be determined by the king in parliament; and all concurred in a reference to the general congreſs, which in fact amounted to an utter rejection, as it was well known that the government of Great Britain would not acknowledge that body to be legally conſtituted.

4th Jan.

THE earl of Dartmouth had, ſome months before, in a circular letter to the governors of colonies, commanded them to prevent the meeting of congreſs, as highly diſpleaſing to the king; but notwithſtanding every

every effort, they aſſembled at Philadelphia, and proceeded to frame reſolutions for raiſing an army, and the emiſſion of a paper currency, the realization of which was guaranteed by the *United Colonies*; that being the title by which they decreed that America ſhould in future be diſtinguiſhed. They prohibited the exportation of proviſions to the Britiſh fiſheries, or to any colony, iſland, or place, which continued in obedience to Great Britain, a meaſure productive of great temporary diſtreſs, particularly at Newfoundland. They alſo reſolved, that by the violation of the charter of William and Mary, the compact between the crown and the people of Maſſachuſet's Bay was diſſolved, and therefore recommended the eſtabliſhment of a new government, by electing a governor, aſſiſtants, and houſe of aſſembly, according to the powers contained in the original charter. They prohibited the negotiation of bills of exchange, drafts, or orders iſſued by officers of the army or navy, agents or contractors, or the loan of money to ſuch perſons, and the ſupplying of the army, navy, or tranſports, with proviſions or neceſſaries. They erected a poſt-office, and ſoon afterward placed it under the management of Franklin.

CHAP. XXVI.

1775.

10th May. Sitting of the general congreſs.

15th May. Their firſt meaſures.

17th May.

6th June.

22d June.

THE reinforcements from England were now arrived, under the command of generals Howe, Burgoyne, and Clinton, men of undoubted bravery, in the prime of life, who had ſerved in different parts of the world; than whom none were conſidered by the public as more able in their military capacity, and in whoſe appointment neither parliamentary nor other influence had been uſed. General Howe's family was unfriendly to adminiſtration, and general Burgoyne ſided with the oppoſition. General Clinton, of the noble family of that name, had been aid-de-camp to the hereditary prince of Brunſwick, and highly eſteemed by him, and had diſtinguiſhed himſelf during the ſeven years war.

25th May. Arrival of reinforcements.

PART

CHAP. XXVI. 1775.

PART of theſe troops being expected to land at New York, the inhabitants applied to congreſs for inſtructions. As no effectual reſiſtance could be oppoſed, they were adviſed to permit them to occupy the barracks, but not to allow the erection of fortifications, or the interruption of communication with the country; and in caſe of hoſtilities, to repel force by force. The removal of women and children, and ſecuring of arms and magazines, were alſo recommended; and in conſequence of theſe meaſures, the once flouriſhing city became almoſt deſerted. The newly-arrived forces, though they formed a very fine and well diſciplined army, and amounted together to ten thouſand men, did not immediately undertake any enterprize. Boſton continued blockaded, and the army and inhabitants reduced to ſubſiſt on the military ſtores; while only a few ſkirmiſhes, occaſioned by the attempts of different parties to obtain proviſions, ſhewed any deſire on the part of the governor to meliorate his ſituation.

12th June. Gage's proclamation.

AT length, as a laſt effort, general Gage iſſued a proclamation, in which he recited numerous violations of the laws by the Americans, the abuſes of the preſs, the aſſault at Lexington, which he deſcribed as a conſummate act of phrenzy, committed by many thouſands, who attacked the king's troops from behind walls and lurking-holes; and complained of the blockade of Boſton, which, he ſaid, was made with the prepoſterous parade of military arrangement. In this exigency of complicated calamities, to ſpare the effuſion of blood, he promiſed, in the king's name, pardon to all who ſhould lay down their arms, and return to the duties of peaceable ſubjects. From this immunity he excepted Samuel Adams and John Hancock, as perſons "whoſe offences were too flagitious to admit of any other conſideration than that of condign puniſhment;" and declared them, and all perſons who had appeared in arms and would not renounce them, and all who ſhould protect or conceal

ſuch

CHAP. XXVI. 1775.

ſuch offenders, or ſupply or communicate with them, rebels and traitors. And as juſtice could not be adminiſtered by the common law of the land, he proceeded, by virtue of the authority veſted in him by the royal charter of the province, to proclaim martial law, until the reſtoration of tranquillity [1].

WHETHER this meaſure rouſed the provincials to effectual enterprize, or whether they were ſtimulated by intelligence of general Gage's intended movements, cannot be aſcertained; but they now executed an attempt of conſiderable moment, with a celerity and reſolution which afforded preſage of an arduous conteſt. Charleſtown is ſituated on a peninſula to the north of Boſton, on the oppoſite bank of Charles river, which being navigable, and nearly the breadth of the Thames at London bridge, Boſton and Charleſtown have been compared to the city of London and the borough of Southwark. Charleſtown gives its name to the peninſula, in the centre of which riſes Bunker's Hill, with an eaſy aſcent from the iſthmus, ſufficiently high to overlook any part of Boſton, and within cannon ſhot.

IT is more characteriſtic of the heſitative ſituation of the diſpute, than of the diſpoſition or judgment of either party, that this important poſition had been ſo long neglected; general Gage, however, yielding to repeated and urgent advice, had determined to occupy it, when he was anticipated by the enemy.

ABOUT nine o'clock in the evening, a ſtrong detachment of Americans moved from Cambridge, and paſſing over Charleſtown Neck, reached the top of Bunker's Hill in perfect ſilence, and unobſerved. With extreme rapidity and caution they contrived, in a ſhort ſummer's night, and without alarming the ſhips of war or tranſports lying around, to throw up an intrenchment, reaching from the river Myſtic on their

16th June. Americans fortify Bunker's Hill.

[1] See the Proclamation in Almon's Remembrancer, vol. i. p. 126.

right,

CHAP. XXVI.

1775. 17th June. Stormed by the Engliſh.

right, to a redoubt on their left, and in many places cannon-proof.

At day-break they were obſerved by the Lively ſloop of war; the alarm was given; a cannonade began from the ſloop, and from Cop's Hill in Boſton; but theſe raw provincials ſtill continued their operations, undiſmayed by a roar of artillery, which might have occaſioned ſome conſternation even among veterans.

About noon a detachment from the Britiſh army landed on the peninſula of Charleſtown, and was afterward reinforced to upward of two thouſand men; two lines were formed; general Howe commanded the right, deſtined to attack the provincial intrenchment, and the left was led on by brigadier-general Pigot, to ſtorm the redoubt. The attack was begun by a ſharp cannonade; the troops were ſuffered to form without moleſtation, and advanced ſlowly, halting at intervals to afford time for the effect of the artillery. The left wing in advancing was oppoſed by a body of provincials, poſted in the houſes at Charleſtown, and during the conflict the town was ſet on fire and deſtroyed.

The provincials on Bunker's Hill, ſecure within their intrenchments, reſerved their fire till the troops approached within a ſhort diſtance: they then opened ſo tremendous and continued a diſcharge of muſketry, that the Britiſh line twice recoiled, and was with difficulty rallied. The officers were peculiarly aimed at by the riflemen, and general Howe was for ſome ſeconds left nearly alone, almoſt all thoſe who were near his perſon being killed or wounded. At this criſis general Clinton, from the oppoſite point at Boſton, diſcerning the moment in which he could render effectual aſſiſtance, volunteered his ſervices, and having paſſed the water with a detachment, rallied the troops, and by a happy manœuvre brought them back to the charge. The Britiſh ſoldiers ſtung with ſhame, and animated by

by the appearance of a reinforcement, attacked with fixed bayonets, and with irreſiſtible impetuoſity drove the Americans from their works; they fled with precipitation, but as no purſuit was ordered they did not ſuffer much in their flight. Of the Britiſh troops, two hundred and twenty-ſix were killed, and eight hundred and twenty-eight wounded. The Americans, by their own accounts, had three hundred and four wounded, and one hundred and forty-five ſlain, among the moſt lamented of whom was Dr. Warren, a phyſician and general in their army, who fell commanding in the redoubt, and whoſe talents and virtues were highly extolled.

Bravery of the troops.

THE bravery and diſcipline of the Britiſh troops ſhone on this occaſion with conſpicuous luſtre; they performed the dangerous exploit of driving before them an enemy amounting to three times their number, ſtrongly poſted and covered by a breaſt-work[k], under a ſcorching ſun, and incumbered with three days' proviſion: their progreſs was up an aſcent, covered with graſs, reaching to their knees, and interſected with the walls and fences of various incloſures.

Obſervations on the action.

THE conduct of the attack has been expoſed to conſiderable cenſure: the whole object of the expedition might, it is ſaid, have been accompliſhed without poſſibility of loſs; a floating battery or armed veſſels, placed in the Myſtic river, oppoſite Charleſtown Neck, would have not only prevented the ſending reinforcements to the provincial troops, but might alſo have effectually cut off their retreat, without riſk to the Britiſh forces. It is alſo obſerved, that nearly at the ſame place, and at no great diſtance from the ſpot where the Britiſh troops landed in the front of the enemy, they ſhould have diſembarked to attack the rear of the provincial army, where there was no intrenchment; and thus, beſide avoiding the difficulties

[k] The Americans aſſerted, they had only fifteen hundred men engaged. See the account of the provincial congreſs of Maſſachuſet's Bay. Remembrancer, vol. i. p. 264. Ramſay's Hiſtory of the Revolution, vol. i. p. 200.

CHAP. XXVI. 1775.

and impediments they were obliged to encounter, they would have rendered the breaſt-work of the Americans uſeleſs; their whole detachment would have been incloſed in the peninſula, and muſt have ſurrendered at diſcretion, or been reduced to the deſperate extremity of attempting to cut through the Britiſh line, while they ſuſtained the fire of the floating batteries and armed veſſels. It is mentioned as another error in conduct, that the attack was extended to the enemy's whole front, inſtead of being confined to their left wing, which was covered only by a breaſt-work of rails and hay, eaſily to be ſurmounted, and opening to a hill commanding their redoubt and lines. The unmilitary and unneceſſary load under which the troops advanced exhauſted their ſtrength and depreſſed their ſpirits, and during the engagement, a ſupply of ball, ſent from Boſton, was of dimenſions too large for the field-pieces; an inadvertency which rendered the artillery uſeleſs [1].

Unimportant reſults.

As the Britiſh troops did not purſue the enemy, the advantages of this bloody conteſt were confined to the occupation of Bunker's Hill, where they fortified themſelves, and thus gained an addition of ſpace for quarters, but incumbered with a double garriſon duty. The Americans raiſed works on another hill, fortified them with ſtrong redoubts, and advanced them cloſe to the fortifications on Boſton Neck.

Proceedings of congreſs.

MEANWHILE the congreſs proceeded with vigour and diligence, and with a wary determination to convert every riſing occurrence to the utmoſt advantage, in forwarding their ultimate views, without diſcloſing them too amply, or alarming thoſe who were not prepared to adopt their principles in their utmoſt extent. A few days after the meeting of congreſs, Peyton Randolph, their preſident, retired; his ſituation was conferred on John Hancock, the perſon who was afterward excluded from pardon by general Gage's proclama-

[1] See Stedman, vol. i. p. 128. It is to be obſerved, however, that this author always ſhews a ſtrong diſpoſition to cenſure general Howe.

CHAP. XXVI.

1775.

tion; and the province of Georgia adding itſelf to the general confederacy, all America was included in the repreſentative body.

12 July. Georgia accedes.

15th June. Waſhington appointed commander in chief.

THEIR greateſt care was to eſtabliſh a military force, and their unanimous election of a commander in chief fell on George Waſhington, eſq. a perſon of good education, reſpectable character and abilities, and ample fortune. He was in the forty-fourth year of his age, and had ſerved in 1753 and 1754, both in negotiation and in arms[m]. Since the peace he had reſided on his eſtate, till returned as a delegate to congreſs, in 1774. He accepted the command of the army, and returned thanks in a ſhort, modeſt ſpeech, expreſſing diſtruſt of his abilities and military experience, and claiming the lenient conſideration of congreſs on his conduct. He declined pecuniary remuneration; leaving it to the generoſity of his country to refund his expences. Congreſs immediately reſolved "that they would maintain, aſſiſt, and adhere to him, with their lives and fortunes in the cauſe of American liberty;" he was inſtructed to deſtroy or make priſoners, all who ſhould appear in arms againſt the *good people* of the colonies, and inveſted with a general power to diſpoſe of the army as might be moſt advantageous in obtaining the end for which it had been raiſed, making it his ſpecial care, that the liberties of America ſhould receive no detriment.

His reception in the camp. 3d July.

IN his progreſs to the camp, the new general received homage from the congreſſes and public bodies of the different colonies, and was hailed by the army with the moſt lively exultation.

PURSUANT to the form of laſt year's proceeding, the congreſs drew up various juſtificatory addreſſes and appeals to the people.

ONE was intitled, "A Declaration of Congreſs, ſetting forth the cauſes and neceſſity of taking up

[m] See Smollett's continuation of Hume, vol. iii. p. 377. 420. and the memoirs of general Waſhington, publiſhed by judge Marſhall, Dr. Bancroft, and Dr. Ramſay.

CHAP. XXVI.

1775. 6th July. Declaration of congreſs.

arms." It was written in a bold, declamatory ſtyle; accuſed the Britiſh government of "an intemperate rage for unlimited domination, and of deſignating the colonies to all the eaſy emoluments of ſtatute plunder." American loyalty and liberality were highly vaunted; and the aſſertion of lord Chatham, that the revenue derived from the provinces, had enabled him to defeat the enemies of Britain, was triumphantly quoted. They cenſured all the acts of the preſent reign, particularly the declaratory act, againſt which, while unrepreſented, they had no defence. The proceedings of the late ſeſſion, from the king's ſpeech to the receſs, were reprobated, not however without many compliments to the oppoſition, and to the petitioning cities and towns. The affair at Lexington was repreſented in the moſt unfavourable view; general Gage's ſubſequent conduct ſtated in the blackeſt colours; and his proclamation cenſured as replete with falſehoods and calumnies againſt the *good people* of America. "In brief," they ſaid, "a part of theſe colonies now feels, and all are ſure of feeling, as far as the vengeance of adminiſtration can inflict them, the complicated calamities of fire, ſword, and famine. We are reduced to the alternative of unconditional ſubmiſſion to the tyranny of irritated miniſters, or reſiſtance by force. The latter is our choice. We have counted the coſt of this conteſt, and find nothing ſo dreadful as voluntary ſlavery. Our cauſe is juſt; our union perfect; our internal reſources great; and, if neceſſary, foreign aſſiſtance is undoubtedly attainable. The arms we have been compelled by our enemies to aſſume, we will, in defiance of every hazard, with unabating firmneſs and perſeverance, employ for the preſervation of our liberties, being, with one mind, reſolved to die freemen rather than live ſlaves." Finally, they abjured every intention to diſſolve the union with the mother-country; nor had they excited any other nation to declare war in their behalf. Their armies were not raiſed with the ambitious deſign of ſeparating from Great

Great Britain, or eſtabliſhing independent ſtates; they fought for neither glory nor conqueſt. The mother-country, on the contrary, boaſting of her privileges and civilization, proffered no milder conditions than ſervitude or death. "In our own native land, in defence of the freedom that is our birth-right, and which was ever enjoyed, till the late violation of it; for the protection of our property, acquired ſolely by the honeſt induſtry of our forefathers and ourſelves; againſt violence actually offered, we have taken up arms. We will lay them down when hoſtilities ſhall ceaſe on the part of the aggreſſors; and all danger of their being renewed ſhall be removed, and not before."

CHAP. XXVI. 1775.

THIS manifeſto was read by general Waſhington to his troops, and received with enthuſiaſtic acclamations. He found, however, no motive for exultation, nor any ground for hope. The late action at Bunker's Hill inſpired with much greater ſpirits thoſe who related and reaſoned on it, than thoſe who were perſonally engaged, or viewed its progreſs. A large number of troops was collected, but they had none of the conveniences which are neceſſary for the comfort of regular armies. Inſtead of tents, they had a ſcanty ſupply of ſails, which the ſuſpenſion of commerce had rendered uſeleſs. They came to camp in their ordinary working dreſſes, and had therefore no uniforms; a deficiency which was afterward ſupplied by the uſe of the hunting-ſhirt. For want of commiſſaries and quarter-maſters, their ſupplies were inſufficient and irregular: individuals brought proviſions to the camp on their own horſes; ſome received neceſſaries from committees of ſupply, but without ſyſtem or economy: the Connecticut troops, who had proper officers, were alone tolerably well provided with food [a]. General Waſhington complained loudly and repeatedly of his numerous wants and deficiences to the congreſs. "We have no ſtore of ammunition," he ſaid, "no tools for

State of the army.

[a] Ramſay's Hiſtory of the Revolution, vol. i. p. 222.

CHAP. XXVI. 1775.

intrenching, nor engineers to direct the conſtruction of military works; we have no money, and want clothing; there is a total laxity of diſcipline, and the majority not to be depended on in the event of another action*."

Inertneſs of the Britiſh army.

THAT this event did not take place is matter of conſiderable ſurprize, as the Britiſh commander was not unacquainted with the diſtreſſed ſtate of the adverſe army: he was even apprized by a deſerter that they had not more than nine rounds of powder a man; but treated the information as an invention, fabricated to lure him into ſome impracticable enterprize. The Britiſh army was intrenched on Bunker's Hill, having three floating batteries in Myſtic river, and a twenty-gun ſhip below the ferry, between Boſton and Charleſtown. They had alſo a battery on Cop's Hill, Boſton, and were ſtrongly fortified on the Neck. The Americans were intrenched at Winter Hill, Proſpect Hill, and Roxbury, communicating with one another by ſmall poſts, over a diſtance of ten miles. Parties were alſo ſtationed in ſeveral towns along the ſea coaſt. Thus both armies continued reſtrained by mutual fear of attack, and the year waſted without any tranſaction of greater importance than the burning of a light houſe in Boſton harbour, the ſurprize of a guard by the Americans, and ſome ſlight ſkirmiſhes between detached parties, inſtigated by attempts to obtain by force thoſe freſh proviſions which, in obedience to congreſs, were tenaciouſly withheld.

Addreſs of congreſs to the legiſlature of Jamaica.

BESIDE their manifeſto, congreſs voted an addreſs to the houſe of aſſembly in Jamaica, vindicating their late proceedings, and demanding their good wiſhes as friends to liberty and mankind. They iſſued ſeveral other addreſſes, which will be noticed in ſubſequent pages: and finally, taking into conſideration lord North's conciliatory propoſitions, recapitulated againſt them moſt of the objections made in parliament, and

31ſt July. They reject the conciliatory propoſitions.

* General Waſhington's Official Letters, vol. i. p. 2 to 9, et paſſim.

declared,

CHAP. XXVI.

declared, that nothing but their own exertions could defeat the miniſterial ſentence, of death or abject ſubmiſſion [p].

1775.

26th May. Expedition againſt Canada undertaken.

One of the earlieſt meaſures of congreſs was an addreſs to the people, or as they termed them, "the oppreſſed inhabitants" of Canada. This province, ſurrounded by rivers and lakes, and ſtretching from Nova Scotia in an oblong direction, almoſt to the ſouthern extremity of Penſylvania, preſented many facilities for invaſion, and promiſed to be an important acquiſition. Before the affair of Lexington, ſome individuals of Connecticut formed a project for obtaining poſſeſſion of Ticonderoga, ſituated at the north end of Lake George, and Crown Point, near the ſouthern extremity of Lake Champlain; theſe forts were the gates to that quarter of Canada. They procured a loan of eighteen hundred dollars of the public money, and having raiſed two hundred and ſeventy men of a hardy race, known by the name of Green Mountain Boys, proceeded to Bennington, and placed themſelves under the command of a partizan named Ethan Allen. They were unexpectedly joined by Colonel Arnold, who, after the battle of Lexington, received from the Maſſachuſet's congreſs a commiſſion to raiſe four hundred men for the capture of Ticonderoga. He agreed to act under Allen, and they immediately proceeded to Lake Champlain, which they croſſed with eighty-three men, ſurpriſed captain de la Place, commander of Ticonderoga, in bed, and ſummoned him to ſurrender, "in the name of the great Jehovah, and the continental congreſs." The fort, with its valuable ſtores [q], was captured without reſiſt-

10th May. Capture of Ticonderoga.

[p] See Almon's Remembrancer, 1775, v. i. p. 274.

[q] The ſtores taken at Ticonderoga were between 112 and 120 iron cannon, from 6 to 24 pounders; 50 ſwivels of different ſizes, 2 ten-inch mortars, 1 howitzer, 1 cohorn, 10 tons of muſquet balls, 3 cart loads of flints, 30 new carriages, a conſiderable quantity of shells, a warehouſe full of materials to carry on boat building, 100 ſtand of ſmall arms, 10 caſks of very indifferent powder, 2 brass cannons, 30 barrels of flour, and 15 barrels of pork. The priſoners were one captain, 1 gunner, 4 ſerjeants, and 44 rank and file, beſides women and children.—Captain de la Place was not brought to a court martial, but ſuffered to ſell out.

CHAP. XXVI.

1775.

ance; Crown Point, which, through neglect, had neither guard nor garriſon, ſurrendered; Skeneſborough, a valuable and proſperous iron work and village, was ſurpriſed by Allen, and major Skene, the proprietor, with his ſon, and negroes, taken priſoners; while colonel Arnold, with great ſpirit and ability, ſecured the entire command of Lake Champlain, by ſeizing the ſloop Enterprize, the only veſſel of the royal navy, in thoſe parts.

Crown Point. Skeneſborough; and the ſloop Enterprize.

Diſſimulation of congreſs.

THE intelligence of theſe ſucceſſes was the firſt which greeted the continental congreſs. They were, however, apprehenſive of appearing to court active hoſtilities, and to change the nature of the war, and therefore all publications in their intereſt treated the affair as the ſpirited enterprize of individuals not ſanctioned, though not cenſured; and congreſs recommended to the committees of the cities and counties of New York and Albany, to cauſe the cannon and ſtores to be removed from Ticonderoga to the ſouth end of Lake George, and to take an exact inventory of them, that they might be ſafely returned when the reſtoration of harmony between Great Britain and the colonies, ſo ardently deſired by the latter, ſhould render it prudent and conſiſtent with the over-ruling law of ſelf-preſervation.

26th May. Their addreſs to the people of Canada.

IN their addreſs, the congreſs ſpoke a bolder language, declaimed in terms of pity on the abject ſtate to which the Canadians were reduced, on the arrival of that day in which the ſun could not ſhine on a ſingle freeman in all their extenſive dominion. By the introduction of the preſent form of government, or rather form of tyranny, the Canadians with their wives and children were made ſlaves, ſubject to be deprived of the fruits of their induſtry, to be tranſported into foreign countries, to fight battles in which they had no intereſt, to ſpill their blood in conflicts from which neither honour nor emolument could be derived; and to witneſs the expulſion, baniſhment and ruin of their prieſts, whenever a ſufficient temptation was furniſhed.

The

The chief object of the addreſs, beſide inſtilling theſe principles, and a reſolution to live free, or not at all, was to conciliate the people to the late captures, and deprecate hoſtile oppoſition. CHAP. XXVI. 1775.

ANIMATED by his late ſucceſſes, and urged by his ſpirit of enterprize, colonel Arnold ſolicited from congreſs a reinforcement for the invaſion of Canada, and promiſed, with two thouſand men, to reduce the whole province. He was encouraged in theſe hopes by the feeble ſtate of the Britiſh force, which did not exceed eight hundred men. 13th June. Application of Arnold.

THE deficiency, in this reſpect, is aſcribed to the too ſanguine reliance of the governor, general Carleton, on his influence, and the power of the clergy over the inhabitants. In the abundance of his confidence he aſſured general Gage in the preceding year, that a corporal's command was ſufficient for the protection of the province[r]. On the reduction of Ticonderoga and Crown Point, he ordered his ſmall force to St. John's fort, which was prudently ſtrengthened with two redoubts. He tried, without ſucceſs, the influence over the natives on which he had ſo firmly depended; and proclaimed martial law, in order to compel the inhabitants to arm; but although they declared themſelves ready to defend their own province, they refuſed to march beyond its limits[s]. General Gage, however, diſpatched brigadier-general Preſcott, and two officers of inferior rank, with two ſhips, to Montreal, and about the ſame time colonel Guy Johnſon arrived with ſeven hundred warriors of the Five Nations: they propoſed the recapture of the forts, which were weakly garriſoned, but general Carleton refuſed to ſanction the attempt. Exertions of general Carleton. July.

CONGRESS took advantage of theſe exertions to aſſert that general Carleton meditated an invaſion of their north-weſtern frontier; they ſtudiouſly inculcated this opinion, as a juſtification of their conduct in in- Repreſentations of congreſs.

[r] Stedman, vol. i. p. 132. [s] Ramſay, vol. i. p. 228.

vading

CHAP. XXVI. 1775.

vading the king's dominions; and ſuch was their ſucceſs, that a plan, which in the beginning of the year was deemed violent and dangerous, was now encouraged by general approbation.

September. Invaſion of Canada.

6th Sept. 10th. St. John's.

GENERALS Schuyler and Montgomery, at the head of three thouſand men, proceeded to Lake Champlain, took poſſeſſion of Iſle aux Noix, and attacked St. John's, the firſt Britiſh poſt in Canada, diſtant about 115 miles to the northward of Ticonderoga: the picquets were driven in, but the invaders were repulſed and obliged to returned to Aux Noix.

Addreſs to the people.

THE generals now publiſhed a conciliatory addreſs to the Canadians, affirming, that the only views of congreſs were the reſtoration to them of thoſe rights to which every ſubject of the Britiſh empire, whatever his religious ſentiments, is intitled; and that in the execution of theſe truſts they had received poſitive orders to cheriſh every Canadian, and every friend to the cauſe of liberty, and ſacredly to guard their property. They alſo ſucceeded in detaching the Indians from the Britiſh cauſe, which was eaſily effected, as theſe ſavages were diſſatisfied with the governor's rejection of their ſervices. General Schuyler was obliged by ill health to retire to Ticonderoga, and general Montgomery, having taken precautions for a retreat to Aux Noix, formally beſieged St. John's.

Siege of St. John's.

Chamblée captured.

FROM the lightneſs of their artillery, and the inſufficiency of ammunition, the Americans made little progreſs, till the ſurrender of fort Chamblée, diſtant about five miles. It was beſieged by a lieutenant-colonel, at the head of three hundred men, and ſurrendered after fifteen days, although amply provided with means of defence, and no practicable breach made in the walls. This conqueſt was rendered highly important from the quantity of ammunition and military ſtores which the commandant neglected to deſtroy.

3d Nov.

St. John's capitulates.

BEFORE they obtained this timely ſuccour, the Americans were reduced to their laſt round of ſhot, and muſt

CHAP. XXVI. 1775.

must soon have been obliged to abandon Canada. They now pressed the siege of St. John's with increasing vigour, and, from a deficiency in provisions and ammunition, and the failure of an attempt made by colonel Maclean to afford relief, the garrison was obliged to capitulate.

25th Sept. Ethan Allen taken prisoner.

An attempt had been already made by Ethan Allen, at the head of a hundred and fifty men, to capture Montreal, but he was defeated by a small party of the twenty-sixth regiment, aided by some natives, and taken prisoner [t]. Montreal was however unprotected, and general Carleton, after the capture of St. John's evacuated the town: the inhabitants applying to general Montgomery for terms of capitulation, he answered, they could not expect such a concession, as they were without means of defence, but promised the free enjoyment of their religion and property. Here the Americans found many European necessaries and luxuries, which the regulations of congress had prevented their obtaining in their native provinces, and general Montgomery employed them in the construction of flat-bottomed boats preparatory to the siege of Quebec.

Nov. Montreal evacuated.

Expedition through the wilderness. 13th Sept.

The safety of that city was menaced by a most daring and difficult enterprize. Colonel Arnold, on a plan of his own suggesting, was dispatched by general Washington, with fifteen hundred men, to penetrate into Canada, by ascending the Kennebeck, and descending by the Chaundiere to the river St. Lawrence. On their arrival at the Kennebeck, they commenced the arduous toil of working up a river encumbered with rocks and shoals, against an impetuous current; and they were often compelled by cataracts and other impediments to land and drag their batteaux up rapid streams or over falls. Their progress by land was not more exempt from difficulty and danger; thick woods,

20th.

[t] By governor Carleton's order, Allen and his fellow prisoners were sent in irons on board a man of war, and conveyed to England: he was however remanded to America, and afterward served in the provincial army with the rank of colonel.

deep

CHAP. XXVI. 1775.

deep ſwamps, and precipitous mountains alternately impeded their march. Sometimes they were obliged to cut their way through foreſts ſo embarraſſed that their progreſs did not exceed four or five miles a day; their proviſions were reduced; ſcarcity and fatigue introduced ſickneſs and deſertion; the original troop was diminiſhed by one third; they devoured their dogs, cartouch boxes, and every other article of leather about their accoutrements and clothing; when a hundred miles from any habitation, they divided their laſt ſtore, which afforded four pints of flour for each man, and while they were yet thirty miles diſtant from the probability of ſuccour, their laſt morſel of bread was eaten. Finally, they ſurmounted every difficulty, and the Canadians with amazement beheld this ſqualid band emerge from a wilderneſs which they conſidered it impoſſible for human perſeverance to penetrate. Conciliated by the behaviour of the invaders, and reaſſured by a manifeſto which they publiſhed by general Waſhington's direction, the inhabitants treated them with hoſpitality, and were prepared, if not to aſſiſt in their enterprize, at leaſt to regard it without malevolence or alarm [u].

3d Nov.

Colonel Maclean defends Quebec.

COLONEL MACLEAN, who ſtill remained at the confluence of the rivers Sorrel and St. Lawrence, ignorant of the ſurrender of St. John's, and expecting to be joined by general Carleton from Montreal, was fortunately apprized of colonel Arnold's arrival, and of his encampment at Point Levy, oppoſite Quebec. Colonel Maclean inſtantly threw himſelf into the city, and by his judicious meaſures prevented the effect of that conſternation which would have rendered it an eaſy prey, could the American chief have procured immediate means of paſſing the river [w].

13th.

14th. Arnold repulſed.

UNINFORMED of this ſeaſonable ſuccour, colonel Arnold made an attack on the gate of St. Louis, but was repulſed with conſiderable loſs; and the inhabitants

[u] Stedman, Andrews, Ramſay, Waſhington's Official Letters, vol. i. p. 32.
[w] Waſhington's Letters, vol. i. p. 39. 41.

of the city being cordially united in defence of their property, and reinforced by ſailors from the ſhips, he became alarmed for his own ſafety, and withdrew to Point aux Trembles, twenty miles from the capital. General Carleton, who had been actively employed in collecting a force to oppoſe Montgomery, on learning the danger of Quebec, paſſed in the diſguiſe of a fiſherman through the enemy's craft, and took vigorous meaſures for confirming and extending the efforts of colonel Maclean, of which he expreſſed decided approbation: he armed the inhabitants, and expelled from the city all who were not willing to co-operate in its defence.

20th. Exertions of Carleton.

DURING this interval, general Montgomery had been actively employed in turning to advantage the effects of his ſucceſs; he was indefatigable in recruiting the ſtrength and ſpirits of his followers; and acquired conſiderable aſcendancy over the lower claſs of natives, who were eaſily ſeduced to ſympathize with coloniſts like themſelves, ſtruggling, as they ſuppoſed, for liberty. The clergy were however active and reſolute in oppoſing the new doctrines; their influence was conſiderable, and they extended it by refuſing abſolution to ſuch as abetted the invaders. The nobles, diſſatisfied with the ſtate of the province, and without cordial attachment to the Britiſh government or to its opponents, ſupported neither party[x]. Montgomery with great addreſs avoided giving offence even to the clergy; he raiſed a regiment of Canadians, which he placed under the command of James Livingſton, a native of New York: his expreſſes were permitted to paſs in every direction unmoleſted, and individuals

Judicious proceedings of Montgomery.

[x] Gibbon, with his uſual force and perſpicuity, adverts to theſe circumſtances, in a letter to colonel Holroyd, (Lord Sheffield,) dated 14th Nov. 1775. He ſays, "We are not quite eaſy about Canada; and even if it ſhould be ſafe from an attack, we cannot flatter ourſelves with the expectation of bringing down that martial people on the back ſettlements. The prieſts are ours; the gentlemen very prudently wait the event, and are diſpoſed to join the ſtronger party; but the ſame lawleſs ſpirit, and impatience of government which have infected our colonies, are gone forth among the Canadian peaſants, over whom, ſince the conqueſt, the nobleſſe have loſt much of their ancient influence." Poſthumous Works, vol. i. p. 495.

were

CHAP. XXVI.

were induced to ſubſcribe liberally in ſpecie for the ſupport of his troops.

1775. 1ſt Dec. Joins in beſieging Quebec.

THIS brave and judicious officer, having effected a junction with colonel Arnold at Point aux Trembles, ſummoned Quebec, and on the rejection of all overtures, commenced a bombardment with five ſmall mortars, and opened a battery of ſix guns at ſeven hundred yards diſtance from the walls.

State of the American army.

AN attack ſo feeble, and of ſuch light metal, was not calculated to make a ſenſible impreſſion, and the beſieging army was not prepared for the delays and misfortunes of protracted operations. Succeſs appeared improbable, and retreat diſgraceful: the Britiſh empire in Canada was reduced to the ſingle city of Quebec; the fame of former exploits had inſpired exaggerated hopes in America, and diſappointment threatened fatal reſults to the common cauſe. Yet the difficulties were daily augmenting; diſſenſions aroſe between colonel Arnold and his officers, deſtructive of ſubordination; the provincial corps were inflamed with a ſpirit of mutual animoſity, and with difficulty induced to pay obedience to ſuperior officers not belonging to their own colony; their numbers were inſufficient for proper reliefs in their daily toils; and as the expiration of their military engagements approached, the general was apprehenſive that many would quit the ſervice. The ſeverity of a Canadian winter was already felt; the troops had no effectual protection againſt its rigours; their caſh was nearly expended; the congreſs paper had no circulation in Canada; and the natives began to ſhow their ficklenefs, by a total diſregard of the invaders.

31ſt December. Aſſault of the city.

IN this ſituation, general Montgomery adopted the daring reſolution of trying the fortune of an eſcalade. Two feints were made at Cape Diamond and St. John's gate, and two determined attacks ſeparately led by Montgomery and Arnold under Cape Diamond, by Drummond's wharf and the Potaſh. The whole proceeding on the part of the beſiegers betrays raſhneſs

raſhneſs and confuſion: the ſignals of attack were given before the troops were in a due ſtate of preparation; hence the feints were detected in ſufficient time to enable the Britiſh general to concentrate his forces at the real points of aſſault. CHAP. XXVI. 1775.

GENERAL MONTGOMERY, at the head of nine hundred men, advanced, with undaunted intrepidity, along a defile, upon a narrow path, between two fires, with a precipice to the river on one ſide, and a hanging rock over head. His approach was awaited with calmneſs and reſolution, and when he was within fifty yards of the point of attack, a tremendous diſcharge of grape ſhot put an end to his hopes and his life. His followers, undiſmayed, returned to the charge; but convinced, by repeated repulſes, that ultimate ſucceſs was unattainable, fought ſafety by retreat. Montgomery killed.

COLONEL ARNOLD made his attack with ſeven hundred men at the Saut de Matelots, and diſperſed the Canadian guard; he received a wound in the leg, and was obliged to retire; but his party was advancing with proſpects of ſucceſs: they took the firſt and ſecond barriers after an obſtinate reſiſtance, and againſt the third a ladder was already placed to convey them into the town, when they were encountered by the combined force of the garriſon, which, after the defeat of general Montgomery's diviſion, united againſt them. Yielding to ſuperior force, they attempted a retreat in vain, and were obliged to ſurrender themſelves priſoners. Arnold wounded. His diviſion taken priſoners.

THE Engliſh ſuſtained but inconſiderable loſs; the Americans, in killed, wounded, and priſoners, were deprived of half their numbers; yet colonel Arnold did not abandon the province; he encamped on the heights of Abraham, where, by obſtructing the ſupplies, he changed the ſiege to a blockade. The horrors of war were, however, ſoftened by mutual acts of civility: the priſoners were treated with kindneſs, and the wounded received ample relief. Siege converted to a blockade.

THE

CHAP. XXVI.

1775. Eulogies of Montgomery.

THE name of general Montgomery was mentioned with reſpect by his moſt determined opponents: the Americans deplored his fate with all the warmth of patriotic attachment, and the animation excited by the circumſtances of his fall; and thoſe in England who participated in the ſentiments of the Americans, ſpoke of him in terms not only expreſſive of their ſenſe of his merits, but incompatible with an attachment to the cauſe of their country[y].

IN tracing the progreſs of thoſe diſcontents which united all America in one common cauſe, and combined thirteen diſcordant and rival governments in one general legiſlation, it is neceſſary to deſcribe the moſt important tranſactions in various colonies, till all difference of conduct had ceaſed.

Tranſactions in Virginia.

VIRGINIA had been conſpicuous in the courſe of the American diſturbances, and its councils ſeemed entirely influenced by popular demagogues, among the moſt conſpicuous of whom was Patrick Henry[z]. Lord Dunmore, the governor, had, in the early part of his government, been highly popular, but was now the object of diſguſt, from his efforts to maintain the royal authority, and from the publication of his correſpondence with lord Dartmouth, which was laid before parliament. In theſe diſpatches, he had with greater freedom than was acceptable to thoſe over whom he preſided, analyzed their views in impeding the courſe of juſtice, and examined their means of giving permanence to their preſent engagements, without reſerve. He imputed to them motives of extreme baſeneſs, and inſidious duplicity of conduct. Wiſdom ſhould have prevented the full communica-

[y] See Parliamentary Regiſter, vol. iii. 402.—General Montgomery was of a reſpectable family in the North of Ireland; he was educated at ſchool, and the univerſity in Dublin; he had ſerved with reputation in America during the preceding war, and had attained the rank of captain in the 17th regiment of foot; he quitted the ſervice in diſguſt, and married a lady of a conſiderable family in the province of New York; he had been beloved and eſteemed through life.

[z] See chapter ix.

tion

tion of theſe letters to parliament; but in ſuch communications, miniſters are rarely able to guard, with ſufficient jealouſy, againſt indiſcreet expoſures, without reducing the information afforded to a mere nullity [a]. CHAP. XXVI. 1775.

THE planters aſſailed lord Dunmore with invective, and inſinuated, that he had formed a conſpiracy to murder Mr. Randolph, the ſpeaker of the aſſembly. As the people of Virginia had formed a convention, elected deputies to congreſs, and were, like other colonies, training a militia to oppoſe the Britiſh government, lord Dunmore removed part of the powder from the magazine at Williamſburg, and placed it on board a ſhip of war, to which he averred it belonged. A military force immediately aſſembled under Patrick Henry, and a negotiation was finally arranged, by which a ſum of money was obtained from the public treaſury, as a compenſation for the powder. The violence of theſe proceedings induced his lordſhip to remove his lady and family on board

Conteſt of the people with the governor. 20th April.

[a] See lord Dunmore's letters to lord Dartmouth, Parliamentary Regiſter 1774-5, vol. i. pp. 85. 185. The following paſſages were peculiarly offenſive: "There is not a juſtice of peace in Virginia that acts, except as a committee-man: the aboliſhing the courts of juſtice was the firſt ſtep taken, in which the men of fortune and pre-eminence joined equally with the loweſt and meaneſt. The general court of judicature of the colony is much in the ſame predicament; for though there are at leaſt a majority of his majeſty's council, who, with myſelf, are the judges of that court, and would ſteadily perform their duty, yet the lawyers have abſolutely refuſed to attend, nor indeed would the people allow them to attend, or evidences to appear. The true cauſe of ſo many perſons joining in ſo opprobrious a meaſure, was to engage their Engliſh creditors, who are numerous, to join the clamours of this country; and not a few to avoid paying the debts in which many of the principal people here are much involved. Every ſtep which has been taken by theſe infatuated people muſt inevitably defeat its own purpoſe. Their non-importation, non-exportation, &c. cannot fail, in a ſhort time, to produce a ſcarcity, which will ruin thouſands of families: the people, indeed, of fortune ſupply themſelves and their negroes for two or three years, but the middling and poorer ſort, who live from hand to mouth, have not the means of doing ſo, and the produce of their lands will not purchaſe thoſe neceſſaries (without which themſelves and negroes ſtarve) of the merchants who may have goods to diſpoſe of, becauſe the merchants are prevented from turning ſuch produce to any account. As to manufacturing for themſelves, the people of Virginia are very far from being naturally induſtrious; and it is not by taking away the principal, if not the only encouragement to induſtry, that it can be excited; nor is it in times of anarchy and confuſion that the foundation of ſuch improvements can be laid. The lower claſs of people too well diſcover that they have been duped by the richer ſort, who, for their part, elude the whole effects of the aſſociation by which their poor neighbours periſh."

CHAP. XXVI. 1775. May.

the Fowey man of war, to fortify his palace, and ſurround it with artillery. He alſo iſſued a proclamation, charging Patrick Henry and his followers with rebellious practices, and accuſing them of a deſign to change the form of government; meetings were held in all parts of the province, and the public mind inflamed by invective, accuſation, and recrimination.

18 June. Lord North's propoſitions rejected.

SUCH was the ſtate of the colony when the general aſſembly was convened for the purpoſe of debating on lord North's conciliatory propoſitions. The governor recommended them to conſideration, in a temperate and judicious ſpeech, and they were acceded to by the council. The aſſembly returned a long addreſs, denying the right of the Britiſh parliament to intermeddle with the ſupport of civil government in the colonies, refuſing to incur a perpetual tax, adequate to the expectations, and ſubject to the diſpoſition of parliament alone, and claiming as a right, a free trade to the whole globe. They referred the final deciſion to the general congreſs, and committed their injuries to the even-handed juſtice of that Being who doth no wrong.

14th.

Lord Dunmore retires on board a man of war. 8th June.

BEFORE the receipt of this addreſs, ſeveral meſſages had paſſed, relative to the ſtate of the magazine, and the removal of military ſtores; and the public fermentation was ſo exceſſive, that his lordſhip thought it neceſſary for his ſafety to join his relatives on board the Fowey. The immediate motive of this meaſure was an intimation of an intention to aſſaſſinate him and his whole family; but this, it is ſaid, was a mere contrivance of the popular leaders, to embarraſs government by his abſence.

Aſſembly adjourned.

A SERIES of meſſages enſued, in which the aſſembly aſſured lord Dunmore of perſonal ſafety and reſpect, if he would return to Williamſburg; a meaſure which he reſolutely declined, but offered to tranſact all public buſineſs on board the Fowey, or to return on ſhore if the legiſlature would remove their ſittings to York, about twelve miles diſtant from the capital. This

propoſal was indignantly rejected by the aſſembly, and his lordſhip's meſſage voted a high breach of privilege; they declared their apprehenſions of a dangerous attack on the unhappy people of the colony, and that it was their duty to prepare for the preſervation of their property, and their ineſtimable rights and liberties: they made general profeſſions of loyalty to the king, and then adjourned; a provincial convention of delegates was immediately convened, and the royal government entirely ſuperſeded.

16th June. Convention of delegates.

WHEN the popular commotions had in ſome degree ſubſided, lord Dunmore, accompanied by ſeveral officers of the Fowey, ventured on ſhore, at his plantation on the banks of York river, about two miles from Williamſburg. In a ſhort time, however, he received notice, that a party of riflemen were approaching to ſeize his perſon; he regained his boat with precipitation, but was fired at in his retreat, though without ſuſtaining any injury.

Lord Dunmore aſſaulted.

CONVINCED that moderate meaſures would be productive of no beneficial effects, he ſent his lady and family to England, repaired to the town of Norfolk, ſituated at the mouth of Cheſapeak Bay, and collected a ſmall naval force for the purpoſe of acting hoſtilely againſt Virginia. His reſources were extremely inadequate to his enterprize; a predatory war was for ſome time carried on; the coloniſts deſtroyed the houſes near the coaſt, and drove away the cattle; and he was foiled in an attempt to burn the town of Hampton. He then iſſued a proclamation, declaring the law inſufficient for the puniſhment of traitors, and therefore eſtabliſhing martial law, and requiring all perſons capable of bearing arms to join the royal ſtandard; and all indented ſervants and ſlaves belonging to rebels, and obeying this invitation, were declared free.

He carries on a predatory war.

25th Oct.

7th Nov. Proclaims martial law.

Emancipates ſlaves.

IN ſuch a colony as Virginia, this meaſure might have produced an extenſive and tremendous effect, had it been reſorted to at an earlier period of the

Effects of this meaſure.

CHAP. XXVI. 1775.

diſpute, but ſix months having elapſed ſince lord Dunmore firſt threatened its adoption, the negroes had ceaſed to believe and the planters to fear; it produced no ſurprize; the country was in a ſtate of defence, and the royal authority ſo much reduced as to render the governor's protection problematical. The fury of the coloniſts was increaſed to frenzy, and their union cemented by a proceeding which rendered accommodation impoſſible. Lord Dunmore gained an acceſſion of ſome hundred adherents, white and black; but they came only from the vicinity where he was eſtabliſhed; in all other parts of the province, the certainty of being intercepted prevented their attempting to join him.

Royal ſtandard erected at Norfolk.

He erected the royal ſtandard at Norfolk, and many of the inhabitants, to preſerve their ſlaves, abjured the congreſs. Fearful of an extenſion of his influence, the inſurgents detached about a thouſand men from

Dec.

the weſtern ſide of Virginia, who intrenched themſelves oppoſite to the governor, on the other ſide of the river Elizabeth, near a village called the Great Bridge, expecting to oblige the royaliſts to abandon their poſt. Before they had been many days in this poſition, lord Dunmore, deceived perhaps by falſe reports contrived for the purpoſe, ordered captain Fordyce, with a detachment of a hundred and twenty

9th Dec. Failure at the Great Bridge.

men, to diſlodge the enemy. This project was purſued with equal boldneſs and caution, but the provincials were prepared; and, as he proceeded along a cauſeway ſkirted by a thicket near the intrenchments, Fordyce was at once aſſailed with a heavy fire from the thicket and the works. He fell within a few feet of the breaſt-work, and his party, ſeeing the enterprize impracticable, were obliged to retreat, with the loſs of thirty killed and wounded.

Town of Norfolk, burned.

In conſequence of this failure, the governor was again obliged to retire on board ſhip, attended by the liberated ſlaves and the loyal inhabitants, whoſe numbers now became ſeriouſly injurious, by conſuming

the

CHAP. XXVI.

1775. 1st Jan. 1776.

the proviſion, and crowding the veſſels. The Americans had taken poſſeſſion of Norfolk, and as their riflemen prevented lord Dunmore from obtaining ſupplies, he ſet fire to the wharfs where they principally annoyed him, and the whole town of Norfolk, one of the moſt flouriſhing on the ſhores of the Cheſapeak, containing eight thouſand inhabitants, was burnt to the ground. The efforts of the enemy were ſtill ſucceſsful in impeding ſupplies; diſtreſs daily increaſed; ſickneſs prevailed, particularly among the negroes, and, finally, lord Dunmore, after ſending the ſlaves to Florida, Bermuda, and the Weſt Indies, quitted for ever the ſhores of Virginia, and joined the Britiſh army under general Howe.

Lord Dunmore abandons the colony.

Project of Connelly.

It was juſtly conſidered eſſential to the exiſtence of the Britiſh power in America, that poſſeſſion of Virginia ſhould be retained[b], and every effort was made for that purpoſe. One of the moſt important was a project communicated by Mr. Connelly, a native of Pennſylvania, to lord Dunmore, and approved by general Gage, for attacking Virginia and the other ſouthern colonies on their back and inland parts, where the people were known to be ſtrongly attached to the Britiſh government. The garriſons at Detroit, and ſome other remote poſts, with their artillery and ammunition, were to have aſſiſted; and hopes were entertained of engaging the Canadians and Indians in the cauſe. Connelly, who had received a commiſſion as colonel commandant, proſecuted his ſcheme with vigour and addreſs, when he was betrayed by his confidential aſſiſtant [c], ſeized, loaded with irons, and ſent to Philadelphia, where he was treated with extreme ſeverity. His papers and plans were publiſhed, and the cauſe of congreſs was thus doubly ſerved, by the fruſtration of the enterprize, and the opportunity of making the people believe that Providence interpoſed in their behalf.

He is betrayed, and the enterprize fruſtrated.

[b] Waſhington's Official Letters, vol. i. p. 62 to 64.
[c] Waſhington's Official Letters, vol. i. pp. 12, 61, 92, 85.

CHAP. XXVI.

1775. North Carolina.

In North Carolina, Mr. Martin was driven from the government by measures nearly similar to those practised against lord Dunmore: he was accused of insulting their rights and liberties, and instigating the negroes to insurrection. The governor's refutation of these charges was couched in language so forcible, that the provincial convention showed their indignation by ordering it to be burnt by the hands of the common hangman. A dispute afterward arose relative to some cannon, but the insurgents were awed by the vigorous and determined conduct of the governor. Still as their party was constantly augmenting, and the royal authority proportionately on the decline, Mr. Martin was ultimately obliged to retire on board a ship of war at Cape Fear.

1st June, 1775. The governor driven away.

South Carolina.

In South Carolina, similar disturbances produced similar effects; lord William Campbell was compelled, after attempting in vain to rally a royalist party, to seek security on ship-board.

Ascendancy of congress.

The royal government was now reduced to a mere name, the congress, favoured by dissimulation, enterprize, and accident, having acquired a decided ascendancy. Every circumstance, which by the most strained construction could be rendered serviceable to their cause, was ostentatiously advanced; falsehood was often employed in recommending their own proceedings, and vilifying those of their opponents; and more frequently those perverse misrepresentations which are more iniquitous than direct falsehood, as they enable those who are base enough to use them to triumph while undetected; and when their artifices are disclosed, to shelter themselves under the double sense of the word. The royalists acted feebly, and, in general, with integrity; they were often overpowered by violence, overawed by the clamours of multitudes, or teazed into silence by repeated efforts of chicane. The southern colonies might have been kept in subjection by an inconsiderable military force; application was made to general Gage, from Sir James Wright,

Wright, governor of Georgia; but intelligence having been given to ſome of the agents of congreſs, the meſſenger was way-laid, his letters ſeized, and another man forwarded with diſpatches of a contrary tendency, ſo nicely forged as to deceive the perſon to whom they were written[q].

TOWARD the cloſe of the year general Gage was recalled, and the chief command devolved on Sir William Howe. The Maſſachuſet's and continental congreſſes granted letters of marque againſt Britiſh veſſels, and they were unexpectedly ſucceſsful in taking many laden with military and naval ſtores and proviſions; captures no leſs beneficial to them than prejudicial to their opponents, who were obliged to draw all their ſubſiſtence at an immenſe expence from England. In the courſe of predatory hoſtilities the town of Falmouth, in the northern part of Maſſachuſet's, was cannonaded by a ſingle ſhip of ſixteen guns, and utterly deſtroyed. Several ſeaport towns were deſerted; but far from ſhowing a diſpoſition to ſubmit, congreſs-reſolved to oppoſe Great Britain by ſea, and iſſued orders for building five veſſels of thirty-two guns, five of twenty-eight, and three of twenty-four.

10th Oct. Gage recalled.

Nov. Americans iſſue letters of marque.

18th Oct. Falmouth deſtroyed.

ON the whole, the tranſactions of the year 1775 were productive of the moſt unfortunate reſults to the Britiſh cauſe, and the moſt animating to the Americans. Meaſures which were relied on by the miniſtry as certain to operate by terror and coercion, were met with firmneſs, and evaded, or rolled back with addreſs and dexterity: conciliatory propoſitions were rejected, and the Americans diſplayed a conſummate proficiency in political intrigue, by appearing to retain ſentiments of loyalty, while their conduct evidently indicated a determination to renounce all ſubjection to the mother-country. They contrived to advance with rapid ſteps in the path of revolt, yet to make Great Bri-

General view.

[q] Ramſay, vol. i. p. 256.

CHAP. XXVI. 1775.

tain conſtantly appear the aggreſſor, and to retain the pretence of a pacific diſpoſition, while they withſtood every offer which had a tendency to terminate the ſubſiſting differences. Their military operations were uniformly calculated to inſpire confidence and animate enterprize: even the expedition into Canada, though not in every part fortunate, was proſecuted with ſo daring a ſpirit, and fruſtrated by the failure of ſo gallant an attempt, that the Americans felt more pride as ſharers of the glory of Montgomery, than mortification in the diſappointment, which only ſhowed that they could not, without conſiderable exertion, wreſt from Great Britain the chief conqueſt reſerved as an indemnity for the toils and expenſes of the late war [c].

[c] For this chapter, beſide the authorities quoted in ſupport of particular paſſages, I have conſulted the periodical publications; the hiſtories of the American War, by Stedman, Andrews, and Ramſay; Morſe's American Geography; and the Remembrancer: and I have been aſſiſted by very reſpectable manuſcript obſervations on them.

## CHAPTER THE TWENTY-SEVENTH:

### 1775—1776.

*Proceedings in the city of London.—Addreſs to the king.—His anſwer.—Conteſt reſpecting the right of preſenting petitions to the king on the throne.—Addreſs of congreſs to the people of Great Britain—to the people of Ireland.—Proclamation againſt rebellion.—Petition of congreſs to the king.—Anſwer from the ſecretary of ſtate.—Effects of the anſwer.—Popularity of the meaſures of government.—Tranſactions in parliament till the Chriſtmas receſs.—King's ſpeech.—Oppoſition to the addreſs in both houſes.—Proteſt.—Debates on the employment of foreign troops in garriſons.—Bill of indemnity—Motion of cenſure—both rejected.—Bill for aſſembling the militia.—Eſtimates.—Motion by the duke of Grafton.—Land tax fixed at four ſhillings in the pound.—Nova Scotia petition.—Debate on the petition of congreſs to the king.—Mr. Penn examined as a witneſs.—The duke of Richmond's motion.—Burke's conciliatory bill—ably oppoſed by governor Pownall—rejected.—Hartley's propoſitions—rejected.—Bill for prohibiting commercial intercourſe with America—debated in the lords—paſſed.—Receſs.—Changes in adminiſtration.—Lord George Germaine, ſecretary of ſtate for America.—his character.—Other changes.—Deſpondency of adminiſtration.*

CHAP. XXVII.

1775. Proceedings in the city of London.

UNDER the mayoralty of Mr. Wilkes, the city of London ſeemed largely to participate in the ſentiments which produced ſuch alarming commotions in America. The majority of individuals was friendly to government; but an active and turbulent minority managed the proceedings of the city councils, which, by intrigue, were made to aſſume a factious appearance.

10th April. Addreſs to the king.

IN conſequence of the acts of parliament relative to America, the livery preſented to the king an addreſs, remonſtrance, and petition, cenſuring all the late meaſures, not merely with plainneſs and freedom, but with acrimonious aſperity. "Not deceived," they ſaid, "by the ſpecious artifice of calling deſpotiſm dignity, they

CHAP. XXVII. 1775.

they plainly perceived a real deſign to eſtabliſh arbitrary power over all America; and conſidering the liberties of the whole inevitably connected with every part of an empire, founded on the common rights of mankind, they were alarmed at ſeeing the conſtitution violated in any part of the king's dominions." Numerous grievances, they ſaid, had driven his majeſty's faithful ſubjects in America to deſpair, and compelled them to a reſiſtance juſtified by the great principles of the conſtitution, in conſequence of which, the crown was transferred from the popiſh and tyrannical race of Stuarts, to the illuſtrious and proteſtant houſe of Brunſwick. Perſuaded that theſe meaſures originated in the ſecret advice of men, enemies alike to his Majeſty's title, and the liberties of the people; that the miniſtry carried them into execution by the ſame fatal corruption which had enabled them to wound the peace, and violate the conſtitution of the country; poiſoning the fountain of public ſecurity, and rendering that body, which ſhould be the guardian of liberty, a formidable inſtrument of arbitrary power; they prayed the king, as a firſt ſtep toward a redreſs of grievances, which alarmed and affected the whole nation, to diſmiſs his miniſters for ever; ſo ſhould peace and commerce be reſtored, and confidence and affection be the ſupporters of the throne.

His anſwer.

THE king's anſwer teſtified his aſtoniſhment that any of his ſubjects ſhould encourage the rebellious diſpoſition exiſting in America; relying, however, on the wiſdom of parliament, the great council of the nation, he would ſteadily purſue the meaſures recommended by them for ſupport of the conſtitutional rights, and protection of the commerce of Great Britain. The lord mayor was prevented from replying by an intimation from the lord in waiting.

Meſſage to the lord mayor. Wilkes's anſwer.

IN a few days after this interview, the earl of Hertford, lord chamberlain, ſignified to the lord mayor the king's determination not to receive, on the throne, any addreſs, remonſtrance, or petition, but from the body

body corporate. Mr. Wilkes eagerly ſeized the opportunity thus afforded of raiſing a new conteſt. In a long letter, he inſiſted on the right of the city, "a right which even the accurſed race of Stuarts had reſpected," to preſent petitions to the king on the throne; and hoped, that a privilege left uninvaded by every tyrant of the Tarquin race, would be ſacredly preſerved under a prince of the houſe of Brunſwick, whoſe family was choſen to protect the liberties of a free people, whom the Stuarts had endeavoured to enſlave."

24th June. Proceeding of the common hall. Remonſtrance voted.

AT the firſt common hall, an addreſs, remonſtrance, and petition, in many reſpects an echo of the laſt, but rather exceeding it in violence, was approved; the miniſtry were deſcribed as men *avowedly* inimical to the principles on which the king poſſeſſed the crown; and the parliament, as a body of whom the majority were notoriouſly bribed to betray their conſtituents and the country: the miniſters were therefore to be diſmiſſed, and the parliament diſſolved. The correſpondence between the lord mayor and lord Hertford was entered on the city records, and the ſheriffs inſtructed to inquire when the king would receive, *on the throne*, this addreſs, preſented by the lord mayor, the city members, the court of aldermen, ſheriffs, and livery. The king having offered to receive it at the next levee, Mr. Plomer, one of the ſheriffs, declared the reſolution of the livery, not to preſent it, unleſs the king would receive it ſitting on the throne. "I am ever ready," his majeſty rejoined, "to receive addreſſes and petitions, but I am the judge where."

26th June. The King refuſes to receive it on the throne.

The ſubſtance of this conference was reported to the livery, reſolutions adopted, and conveyed to the king, aſſerting that his anſwer was a direct denial of the right of the court to have their petitions heard; that the remonſtrance ſhould be printed in the public papers, and the city members inſtructed to move for an impeachment of the evil counſellors who planted popery and arbitrary power in America, and were the adviſers of a meaſure

4th and 5th July. Further proceedings.

CHAP. XXVII. 1775.

a meaſure ſo dangerous to his majeſty's happineſs and the rights of the people, as that of refuſing to hear their petitions. An addreſs ſubſequently voted by the common council, couched in moderate and reſpectful terms, and praying the king to ſuſpend operations of force againſt America, obtained a gracious reception, and a mild, though uncomplying anſwer.

7th.

14th.

Addreſs of congreſs to the people of Great Britain. 8th July.

THE American congreſs availed themſelves of the diſpoſition in the city of London to render their cauſe popular, and exerted their endeavours to obtain partizans in every part of the king's dominions, or at leaſt to render as many as poſſible indifferent to the intereſts of government. They circulated a long, elaborate, and inſidious addreſs to the inhabitants of Great Britain, appealing at once to their pride, juſtice, and compaſſion; exculpating themſelves, and endeavouring to alarm the jealouſy of Engliſhmen for their their conſtitutional rights, which would be no leſs endangered by ſucceſs, than their proſperity would be impaired by a failure in hoſtilities. They juſtified their oppoſition to military force, by alleging that they were wantonly attacked; but although they repelled aſſaults, and returned blows, yet they lamented the wounds they were obliged to inflict; nor had they learned to rejoice at a victory over Engliſhmen. They denied aſpiring at independency, but declared they would only treat on ſuch terms as would render accommodation laſting; calling God to witneſs that they would part with their property, endanger their lives, and ſacrifice every thing but liberty, to redeem Great Britain from ruin.

To the people of Ireland.

AN addreſs was alſo made to the people of Ireland, deſigned, from ſimilarity of ſituation, to produce congeniality of ſentiment. The meaſures of the reign were decried as indicating, that the genius of England and the ſpirit of wiſdom had withdrawn from the Britiſh councils, and left the nation a prey to a race of miniſters, with whom the ancient Engliſh honeſty and benevolence diſdained to dwell; from that period,

jealouſy,

jealouſy, diſcontent, oppreſſion, and diſcord, had raged among all his Majeſty's ſubjects, and filled every part of his dominions with diſtreſs and complaint. They deplored the neceſſity of renouncing their commercial connexion with Ireland, from whoſe parliament they had received no injury, and whoſe people had ever been friendly to the rights of mankind; but, on the other hand, the labours and manufactures of Ireland, like thoſe of the ſilk-worm, were of little moment to herſelf, ſerving only to give luxury to thoſe who neither toil nor ſpin; and ſhould the reſolutions of congreſs occaſion much diſtreſs, the fertile regions of America would afford a ſafe aſylum from poverty, and, in time, from oppreſſion. In this addreſs reconciliation was mentioned as deſirable, but independence was never diſclaimed: on the contrary, congreſs anticipated the golden period when liberty, with all the gentle arts of peace and humanity, ſhould eſtabliſh her mild dominion in the weſtern world, and erect eternal monuments to the memory of thoſe virtuous patriots and martyrs who fought, bled, and ſuffered in her cauſe. CHAP. XXVII. 1775.

THE progreſs of hoſtilities, and the appearance of an intercourſe with the American leaders, induced government to iſſue a proclamation for ſuppreſſing rebellion, and preventing traiterous correſpondence[a]. At this juncture Richard Penn arrived from America with a petition from congreſs, and, accompanied by Arthur Lee, a reſident agent, preſented it to the king. 23d Aug. Proclamation againſt rebellion. 1ſt Sept.

THIS paper was drawn with great art, and compriſed many appearances of a conciliatory diſpoſition; could it have been examined apart, and unconnected with the tranſactions in America, which were ſanctioned by congreſs, and their declarations to the people of Great Britain, Ireland, Canada, and Jamaica, it Petition of congreſs to the king.

[a] On the publication of this proclamation at the Royal Exchange, Wilkes ſhowed his faction neſs by cauſing it to be read by one of his officers, accompanied only by the common cryer; they were not allowed horſes, as uſual on ſuch occaſions, nor was the mace permitted to be carried; the proclamation was received with a general hiſs. Annual Regiſter, 1775. p. 149.

might

CHAP. XXVII. 1775.

might have afforded hopes of an amicable adjuſtment. The king was addreſſed in reſpectful and endearing terms; and his magnanimity invoked to give the moſt favourable conſtruction to the expreſſions of the petitioners. They ſolemnly aſſured him that they moſt ardently deſired a reſtoration of harmony between the mother-country and her colonies, and the eſtabliſhment of concord on ſo firm a baſis, as to perpetuate its bleſſings, uninterrupted by future diſſenſions, to ſucceeding generations, and tranſmit his Majeſty's name to poſterity, adorned with the ſignal and laſting glory attending the memory of thoſe illuſtrious perſonages, whoſe virtues and abilities have extricated ſtates from dangerous convulſions, and by ſecuring happineſs to others, erected the moſt noble and durable monuments to their own fame. They therefore beſought his majeſty to uſe his influence and authority in procuring them relief from their afflicting jealouſies and fears, and to ſettle peace through every part of his dominions; with all humility ſubmitting to his majeſty's conſideration the expediency of directing ſome mode by which the united applications of his faithful coloniſts to the throne, in purſuance of their common counſels, might be improved into a happy and permanent reconciliation [b]; and that, in the mean time, meaſures might be adopted for preventing further deſtruction of lives, and ſuch ſtatutes as more immediately diſtreſſed the colonies might be repealed. By arrangements for collecting

[b] The explanation of this clauſe is given by Ramſay; Hiſtory of the American Revolution, vol. i. p. 213. Congreſs meant, he ſays, that the mother-country ſhould propoſe a plan for eſtabliſhing, by compact, ſomething like Magna Charta for the colonies. They did not aim at a total exemption from the controul of parliament, nor were they unwilling to contribute, in their own way, to the expenſes of government; but they feared the horrors of war leſs than ſubmiſſion to unlimited parliamentary ſupremacy. They wiſhed for an amicable compact, in which doubtful, undefined points, ſhould be aſcertained ſo as to ſecure that proportion of authority and liberty which would be for the general good of the whole empire. They fancied themſelves in the condition of the barons at Runnymede; but with this difference, that in addition to oppoſing the king, they had alſo to oppoſe the parliament. This difference was more nominal than real, for in the latter caſe the king and parliament ſtood preciſely in the ſame relation to the people of America, which ſubſiſted in the former between the king and people of England. In both, popular leaders were contending, with the ſovereign for the privilege of ſubjects.

the

the united ſenſe of the American people, his majeſty would receive ſuch ſatisfactory proofs of their diſpoſition, that the wiſhed-for opportunity would be ſoon reſtored, of evincing the ſincerity of their profeſſions, by every becoming teſtimony of devotion. CHAP. XXVII. 1775.

To this petition the earl of Dartmouth, in the king's name, informed the agents of congreſs that no anſwer would be given. 4th. Anſwer.

IMMEDIATE advantage was taken of this repulſe to encourage the friends of congreſs; to fix the wavering, and give reſolution to the timid. Such, in fact, muſt have been the view of the individual who framed[c], and the body who adopted the addreſs: they knew that neither the king nor parliament could acknowledge them as a body legally conſtituted; nor could the miniſtry, after the late tranſactions, recede from the meaſures they thought proper to enforce, without an appeal to the people through their repreſentatives. The congreſs, a body conſtituted in defiance of the king's commands, raiſing armies, and levying taxes, for the expreſs purpoſe of oppugning his authority, and that of the Britiſh legiſlature, approached the throne with the exterior of reſpect; but without alleging any urgent occaſion for their aſſembly, and holding themſelves fully competent, not only to treat, but even to dictate terms; for the king was required, before the adoption of meaſures for facilitating a conference on the nature of grievances, to uſe his influence in obtaining a repeal of all ſtatutes which diſtreſſed the colonies. It was not poſſible to diſcuſs ſuch a propoſal with hopes of ultimate ſucceſs, and, without ſuch a motive, it would have been baſe and feeble to ſanction the acts or petitions of a body, conſtituted as the congreſs was, glorying in the ſucceſs of armed reſiſtance, and demanding conceſſions without apology for the paſt, or reciprocal engagement for Effect of the anſwer.

[c] Mr. Dickinſon, author of ſeveral celebrated political tracts. Ramſay's Hiſtory of the American Revolution, vol. i. p. 213.

the

CHAP. XXVII. 1775.

the future. The rejection of this artful petition being doubtleſs anticipated, it fully anſwered the view of its authors; and leſs artifice than they poſſeſſed was neceſſary to make it appear, that hoſtile meaſures alone could ſatisfy the pride and rage of the Britiſh nation. Under theſe conſtructions, the rejected petition contributed to the union and perſeverance of the colonies. "When preſſed by the calamities of war," an American writer obſerves, "a doubt would ſometimes ariſe in the minds of ſcrupulous perſons, that they had been too haſty in their oppoſition to their protecting parent-ſtate. To ſuch it was uſual to preſent the ſecond petition of congreſs to the king, obſerving, that all the blood and guilt of the war muſt be charged on Britiſh, not on American counſels[d]."

Popularity of the meaſures of government.

ALTHOUGH the ſubſequent events, and termination of the American conteſt, have afforded opportunities of repeating and enforcing the arguments uſed by the adherents of congreſs, they made, at the time, no conſiderable impreſſion. The cauſe of the mother-country was generally popular, becauſe conſidered juſt; the war was not dreaded; the American arms were rarely ſucceſsful, except through our own miſmanagement; and the nation repoſed juſt confidence in the exertions of Britiſh valour. The miniſtry ſhowed a due portion of ſpirit and perſeverance; the large demands attending the beginning of warfare gave energy to commerce; and loyal addreſſes, unſolicited and unexpected, were ſent from all parts of the kingdom[e].

26th Oct. King's ſpeech in parliament.

IN his ſpeech from the throne, the king amply detailed to parliament the ſtate of America. Thoſe who had too ſucceſsfully laboured to inflame the people,

[d] Ramſay's Hiſtory of the American Revolution, vol. i. p. 213. The author was connected by marriage with the family of the well-known Laurens, and was from 1782 to 1785 a member of congreſs.

[e] Gibbon ſtates this fact in a letter to Mr. Holroyd (Lord Sheffield) dated 14th October 1775. He ſays, "Another thing will pleaſe and ſurpriſe, is the aſſurance which I received from a man, who might tell me a lie, but who could not be miſtaken, that no arts or management whatſoever have been uſed to procure the addreſſes which fill the gazette, and that lord North was as much ſurprized at the firſt that came up, as we could be at Sheffield."

by groſs miſrepreſentations, now openly avowed their revolt, hoſtility, and rebellion. They had raiſed troops, and were collecting a naval force; they had ſeized the public revenue, and aſſumed to themſelves legiſlative, executive, and judicial powers, which they exerciſed in the moſt arbitrary manner, over the perſons and properties of their fellow-ſubjects; and although many might ſtill retain their loyalty, and be too wiſe not to ſee the fatal conſequence of this uſurpation, and wiſh to reſiſt it, yet the torrent of violence had been ſtrong enough to compel their acquieſcence till a ſufficient force ſhould appear for their ſupport. The authors and promoters of this deſperate conſpiracy had derived great advantage from the difference of the king's intentions and their own. They meant only to amuſe by vague expreſſions of attachment to the parent-ſtate, and proteſtations of loyalty, while preparing for a general revolt. On his part, though it was declared in the laſt ſeſſion that a rebellion exiſted in the province of the Maſſachuſet's Bay, yet even that province he wiſhed rather to reclaim than ſubdue. The war was become more general, and was manifeſtly carried on for the eſtabliſhment of an independent empire. It was now the part of wiſdom, and (in its effects) of clemency, to put a ſpeedy end to ſuch diſorders, by deciſive exertions. He had received the moſt friendly offers of foreign aſſiſtance; and had ſent to the garriſons of Gibraltar and Port Mahon, part of his electoral troops, that a larger portion of the Britiſh forces might be applied in maintaining its authority; and the national militia might give a farther extent and activity to military operations. His Majeſty profeſſed readineſs to receive the miſled and deluded multitude with tenderneſs, whenever they ſhould become ſenſible of their error; and in order to prevent inconvenience from diſtance, and remove their calamities as ſoon as poſſible, he would give a diſcretionary authority to perſons on the ſpot,

CHAP. XXVII. 1776.

CHAP. XXVII. 1775.

to grant general or particular pardons and indemnities, and receive the ſubmiſſion of any province or colony diſpoſed to return to its allegiance. He ſuggeſted the propriety of authorizing the perſons ſo commiſſio ned to reſtore ſuch provinces or colonies to the free exerciſe of trade, and the ſame protection and ſecurity as if they had never revolted; and informed both houſes, that from the aſſurances received, and the general appearance of affairs in Europe, he ſaw no probability of impediment to his meaſures, by diſputes with any foreign power.

Oppoſition to the addreſs.

AN amendment to the addreſs was moved by lord John Cavendiſh, and in the debate, the principle and conduct of the conteſt were ſeverely arraigned. The facts aſſumed in the ſpeech were declared to be untrue: parliament was not early convened; the Americans were not collecting a naval force; the aſſertion, that they meant only to amuſe by vague expreſſions of attachment, and fought to render themſelves independent, were equally injurious to their honour, and repugnant to truth: and the confiding of two ſuch important fortreſſes as Gibraltar and Minorca to garriſons of foreigners, was highly improper; the idea of conqueſt was equally romantic and unjuſt; and the addreſſes did not prove the ſentiments of the people, even if fairly obtained; but the contrary was ſtrenuouſly affirmed. Colonel Barré expoſed to ſevere cenſure the whole conduct of the campaign; Mr. Fox obſerved, that lord Chatham, the king of Pruſſia, nay, Alexander the Great, never gained more in one year than the exiſting government had loſt—it had loſt a whole continent. Although the Americans were not juſtifiable in the extent of their proceedings, reſiſtance was leſs culpable than ſubmiſſion to the tyrannical acts of a Britiſh parliament. General Conway, though joined with the king's ſervants, deteſted the principle of ſupporting every meaſure of government; reprobated the idea of conquering America; declared explicitly

plicitly againſt the right of taxation; and wiſhed to ſee the declaratory law repealed, ſince it had been converted to ſuch bad purpoſes.

Defence.

In anſwer to theſe objections, the neceſſity of regaining America by force was ſtrenuouſly urged: during the late ſummer, government, although veſted by the legiſlature with the right of uſing the ſword, had, through a love of lenity, preferred an attempt to govern by the civil power: it was now intended to ſend out an ample force, ſupported by a ſufficient fleet, to inſure ſubjection. Congreſs verbally profeſſed not to aim at independence; but their claims amounted to a total exemption from parliamentary authority. They had expreſsly declared, that the Britiſh legiſlature had no right to intermeddle with their proviſions for the ſupport of civil government, or the adminiſtration of juſtice, each country ſhould, in thoſe reſpects, regulate itſelf; thus they plainly claimed an excluſive authority in each colonial aſſembly. Not only the late acts more particularly complained of, but every other affecting their internal polity, had been treated as unjuſt encroachments of parliament on the rights of a legiſlature as independent as itſelf. In military matters, their pretenſions were equally extravagant. They denied to Great Britain the right of keeping a ſingle ſoldier in the whole extent of their continent, without conſent of the colonial legiſlature. With regard to revenue, parliament had declared, in words intelligible to all mankind, that they would never tax America, unleſs impelled by a refuſal to contribute a due proportion to the common expenſes of the ſtate. They even knew, that a reaſonable ſum would be accepted; but would not, to gratify this country, offer the contribution of a ſingle ſhilling. The only particular in which they ſeemed inclined to admit the authority of parliament was, the regulation of trade; though even there they expreſſed themſelves with ſufficient caution; and in every thing elſe aſſerted an abſolute independence.

CHAP. XXVII. 1775.

LORD NORTH obſerved, that to repeal every act paſſed ſince the year 1763, muſt terminate the diſpute, for, from that moment, America would be raiſed to independence. The acts were all juſt, and not cruel, and that for reſtraining their traffic with other countries, againſt which oppoſition ſo loudly declaimed, was not paſſed till the colonies, by a non-importation agreement, had refuſed to trade with England, who had nurtured them to their preſent greatneſs, and on the principles of reciprocity, had an excluſive right to the benefits of their commerce.

Oppoſition in the upper houſe.

THE marquis of Rockingham moved an amendment, exactly ſimilar to that of lord John Cavendiſh. The debate embraced many of the ſame topics; but the earl of Dartmouth aſſerted, that the late proceedings had been unſucceſsful from cauſes not to be anticipated; and lord Gower avowed, that adminiſtration had been miſled, and purſued a ſyſtem inadequate to the nature and extent of the ſervice. The accounts received from the ſouthern provinces led to this miſtake; New York had been over-awed and forced by a party of inſurgents from Connecticut, into meaſures they would never have otherwiſe adopted; yet if the friends of government were emancipated by the aid of a force from this country, the colonies might be brought to a ſenſe of their duty, without recourſe to ſcenes of miſery and deſolation.

LORD SHELBURNE ſeverely arraigned the conduct of adminiſtration, and the raſhneſs of the predictions, that a little bloodſhed would enſure ſucceſs: a great deal of blood had been unhappily ſhed to no purpoſe, but to ſever the two countries, perhaps for ever. He advanced, as a plain and inconteſtible fact, that the commerce of America was the vital ſtream of this great empire, and the independence of that country muſt be the ruin of Britain. The inevitable conſequence of perſeverance in the preſent meaſures, muſt be the depreciation of property; opulence would be reduced to competence, competence to indigence: in contemplation

contemplation of ſuch adverſity, he felt happy in having been bred a ſoldier; accuſtomed to the moderation of that life, his fall would be eaſy. CHAP. XXVII. 1775.

AT an early period in the debate, the duke of Grafton delivered ſentiments hoſtile to adminiſtration, yet refuſed to concur in the amendment. He condemned the proceedings with reſpect to America during the laſt twelve months, and apologized for ſupporting them, by alleging that he was miſled and deceived; he had concurred when he could not approve, from a hope, that in proportion to the ſtrength of government, would be the probability of amicable adjuſtment. He recommended the repeal of all acts relative to America paſſed ſince 1763: this propoſition would not probably obtain immediate approbation, but would daily grow in eſteem, and ultimately gain univerſal aſſent. Did he entertain contrary ſentiments, he could not aſſent to an addreſs which ſanctioned meaſures of unknown extent and expenſe, while the king's ſpeech was not accompanied with the ſlighteſt information. He mentioned the bad ſtate of his health, and, imitating lord Chatham, declared his intention to come in a litter to expreſs his full and hearty diſapprobation of the meaſures of adminiſtration.

THE amendment was negatived[f], and the addreſs carried[g], by great majorities: nineteen peers ſigned a proteſt. Amendment rejected. Proteſt.

IN theſe debates the illegality of committing the cuſtody of Gibraltar and Minorca to foreign troops, was ſtrenuouſly urged. On the report of the addreſs, the oppoſition members inſiſted that the meaſure was repugnant to the bill of rights, and a precedent of moſt alarming and dangerous tendency, recognizing a power in the king to introduce foreigners into the Britiſh dominions, and raiſe armies without the conſent of parliament. Mr. Thurlow obſerved, that the Debate on the employment of foreign troops in garriſons. 27th Oct.

[f] 69 to 29. [g] 76 to 34.

CHAP. XXVII. 1775.

clauſe in the bill of rights embraced no part of the king's dominions beyond the limits of Great Britain: the neceſſity of the caſe and danger of delay were alſo urged, and the introduction of ſix thouſand Dutch troops, in 1745, without previous conſent, was cited as a precedent. Lord North avowed himſelf the adviſer of the paragraph in the king's ſpeech, and declared, he ſhould not conſider the houſe precluded, by voting for the addreſs, from reviewing the meaſure on any future day.

Bill of indemnity. 31ſt Oct.

THE friends of adminiſtration did not uniformly concur in lord North's opinion, and Mr. Marſham gave notice of his intention to bring in a bill of indemnity; the miniſter treated the intimation with his accuſtomed gaiety; declaring, that although perfectly ſatisfied with the legality of the meaſure, he had no objection to concur in any propoſition tending to keep the heads of miniſters more ſecurely on their ſhoulders: yet conceiving that acts of indemnity were never paſſed but as a defence againſt actions at law, and not againſt impeachments, he propoſed a reſolution, approving the employment of foreign troops. This expedient was not, however, conſidered adequate to the purpoſe, and the miniſter himſelf, yielding his own judgment to the arguments of his friends, obtained leave to bring in a bill of indemnity.

1ſt Nov.

1ſt Nov. Motion in the houſe of lords.

THE duke of Mancheſter, on the ſame day, made a motion to declare the employment of electoral troops, in the dominions of Great Britain, dangerous and unconſtitutional, and ſupported it by an elaborate ſpeech. The earl of Rochford, as one of the miniſters who adviſed the meaſure, declared his unſhaken opinion that it was perfectly juſtifiable, and his readineſs to abide the conſequences: yet as he had learned that lord North intended to apply for a bill of indemnity, he moved the previous queſtion. The duke of Grafton was the only cabinet miniſter in the houſe, who did not avow his having concurred in giving this advice; he condemned the meaſure in the ſtrongeſt

terms,

terms, as inconſiſtent with the ſpirit of Magna Charta. The motion of cenſure was ſupported by the duke of Richmond, the earls of Effingham, Camden, and Shelburne, and Lord Lyttleton. The previous queſtion was, however, negatived [h]. CHAP. XXVII. 1775.

A MOTION ſimilar to that of the duke of Manchester was made by Sir James Lowther, and diſpoſed of in the ſame manner [i]: in a long and animated debate, the miniſter was cenſured even by his coadjutors, for acceding to the ſuggeſtion of a bill of indemnity. Lord Barrington, the ſecretary at war, in particular declared, that although he was a principal adviſer of the meaſure, he wanted no ſuch bill, and ſhould pity and contemn the miniſter by whom it was required. 3d Nov.

SUCH being the opinions profeſſed by members of adminiſtration in both houſes, the fate of the bill of indemnity might be anticipated: it paſſed the houſe of commons, after the rejection of a motion for amending the preamble, and making miniſtry confeſs their conduct illegal, and repugnant to the ſpirit of the conſtitution. In the upper houſe it was unanimouſly rejected on the third reading: the marquis of Rockingham aſſerting it would be a diſgrace to the ſtatute books, to afford indemnity to thoſe who acknowledged no offence, and the miniſterial lords declaring themſelves perfectly indifferent reſpecting the event. Bill rejected. 24th Nov. 30th Nov.

LORD NORTH brought in a bill for enabling the king to aſſemble the militia in caſes of rebellion; which paſſed with a rider propoſed by Sir George Savile, limiting its duration to ſeven years. The number of ſeamen was fixed at 28,000; the land forces at 55,000, of whom 25,000 were deſtined for America. In the debates on the militia bill, perſonal altercations were maintained with great violence, and the manner of procuring addreſſes was ſeverely ar- 30th Oct. Bill for aſſembling the militia. 22d Nov. Eſtimates.

[h] 75 to 32.
[i] On the previous queſtion being put, the numbers were ayes 81, noes 203.

CHAP. XXVII. 1775.

raigned and vigorouſly defended: the diſcuſſion of navy eſtimates gave occaſion to impute many malverſations to the firſt lord of the admiralty; and while the army eſtimates were under conſideration, a review was taken of the cauſe and progreſs of the American diſpute, the means of conciliation, and the probabilities of conqueſt.

1ſt Nov.

8th.

Motion by the duke of Grafton, 4th Nov.

IN the houſe of lords ſimilar efforts were made; the duke of Grafton, who had reſigned his office of lord privy ſeal ſince the commencement of the ſeſſion, and now became conſpicuous in the ranks of oppoſition, moved for an account of the number of forces ſerving in America previous to the commencement of hoſtilities; the force actually employed there; the plans for winter-quarters, and the numbers of the provincial army; an eſtimate of the troops in Great Britain and Ireland; and an eſtimate of the military force neceſſary to be ſent to America, with an account of the artillery and ſtores. In ſupport of this motion, he ſtated the unſucceſsful operations of the late campaign, the condition of the army, cooped up in Boſton, mouldering away by ſickneſs and famine, and almoſt daily waiting for its fate, that of being deſtroyed or made priſoners by a force infinitely ſuperior. The lords who directed his majeſty's councils had ingenuouſly avowed their having been deceived; apologized on account of ill-founded information, falſe reaſonings and miſtaken concluſions: and directed oblique cenſures againſt the commanders both by ſea and land. In ſuch a ſtate of darkneſs and uncertainty, ſuch charges, blunders, miſtakes, imputed negligence or incapacity, it was neceſſary to warn the houſe of the difficulties to be encountered, and the means of obviating or ſurmounting them: by ſuch means they would be enabled to adopt meaſures of coercion or conciliation, which beſt ſuited the dignity, juſtice, and permanent intereſts of the country.

15th.

Objected to.

THE propoſition was reſiſted, on the ground that the information would be communicated to the enemy, and

and expoſe the plan of military operations. Earl Gower aſſerted, on the credit of an officer of eminence in America, that all meaſures determined on in England were known in the provincial camp much earlier than in the king's army. The Americans would conſequently riſe in their demands if conciliation were propoſed, or take meaſures of reſiſtance beſt calculated to defeat the intentions of Great Britain. CHAP. XXVII. 1775.

A DIGRESSION was made into the general grounds of the diſpute: the Americans were vindicated by lord Camden, the duke of Richmond, and lord Shelburne, who declared Great Britain in every inſtance the aggreſſor, and ſtigmatized the proceedings againſt the colonies by the name of robbery; they were cruel, oppreſſive, unjuſt, and unrelenting, and ought to be reſiſted as the moſt open and dangerous attacks upon liberty, property, and every thing dear to free men. The aſſertion that America aſpired at independence, was treated as an unfounded calumny, calculated only for purpoſes of deluſion. Diſpute with America cenſured.

BESIDE the earls of Gower and Dartmouth, who as miniſters vindicated their own proceedings, the cauſe of government was ably defended by the lords Lyttleton, Dudley, and Townſhend; but lord Mansfield, with his uſual perſpicuity, eloquence, and profound information, traced to their real ſource the pretenſions which convulſed America, and agitated Great Britain. He ſaid, "The bad conſequences of planting northern colonies were early predicted. Sir Joſhua Child foretold, before the revolution, that they would, finally, prove our rivals in power, commerce, and manufactures. Davenant, adopting the ſame ideas, foreſaw that whenever America found herſelf ſufficiently ſtrong to contend with the mother-country, ſhe would endeavour to become a ſeparate and independent ſtate. This has been the conſtant object of the people of New England, almoſt from her earlieſt infancy. Their ſtruggles compelled king William to revoke his former charter, and give them a new one; and toward the concluſion Defended by Lord Mansfield.

CHAP. XXVII. 1775.

concluſion of his reign, to procure an act that no law originating in the colonies ſhould be valid, if contrary to the law of England. Thoſe diſputes had ſcarcely ever ſubſided: in the year 1733, Mr. Talbot, afterward chancellor, propoſed a ſeries of reſolutions in the houſe of commons, indicating the preciſe nature of the diſputes, and fully aſſerting doctrines ſimilar to thoſe now maintained by the Britiſh parliament. A new adminiſtration formed in 1756 were extremely unwilling to engage in a war on account of America: and would have avoided it, had not circumſtances given another turn to the ſubſiſting diſputes. I do not aſſert that America was not the true cauſe of the war; I am certain it was. A vulgar opinion prevailed, the reverſe of truth, that we armed in defence of Hanover; but, whatever form the war might afterwards aſſume, it was originally undertaken for the preſervation of America. At the peace, the inconveniences which have ſince ariſen were partly foreſeen; but they were, with ſuitable wiſdom, balanced againſt thoſe which might reſult from the other part of the alternative. The reſtoration of Canada to France, would have been the ſource of endleſs contention. At the time of impoſing the ſtamp duties, an idea prevailed, that America, from her increaſed power and ability, ſhould contribute to alleviate the burdens with which ſhe had been inſtrumental in loading this country. I ſhall not diſcuſs the propriety of the meaſure; from ſucceeding events, I regret its adoption, but at the time it encountered no oppoſition. The next year the declaratory law was paſſed with equal unanimity. In a year after, lord Camden being then at the head of his majeſty's councils, and preſiding on the woolſack, was preſent when the port duties were impoſed, but offered not the ſlighteſt reſiſtance. When the reſolutions for extending the ſtatute of Henry VIII. relative to the trial of perſons for offences committed out of the realm, were voted, the ſame learned lord retained his ſituation, and the noble duke, who made the motion this

this day, then preſided at the head of the treaſury, both were in the cabinet, and yet not a word was ſaid againſt the meaſure. I look back with ſorrow to all theſe tranſactions. Laſtly, the bill for ſhutting the port of Boſton, on which the learned lord hath this day beſtowed ſo many hard names, was paſſed without oppoſition. If theſe acts were juſtifiable, thoſe which ſucceeded were equally ſo. America does not complain of particular injuries, ſo much as the violation of her rights; in one place congreſs ſum up the whole of their grievances in the paſſage of the declaratory act, which aſſerts the ſupremacy of Great Britain, or the power of making laws for America in all caſes. Hence ariſes the diſpute; they poſitively deny the exiſtence, not the mode of exerciſing the right: they would allow the king of Great Britain a nominal ſovereignty, but no more: they would renounce dependency on the crown of Great Britain, but not on the perſon of the king, whom they would reduce to a cypher. In fine, they would ſtand in relation to Great Britain, as Hanover now ſtands: or, rather as Scotland ſtood toward England, before the union." His lordſhip then proved that the views of America were directed to independence; that Great Britain could not concede any claim without relinquiſhing all; ſuch a ſacrifice he ſuppoſed was not intended; and conſequently, any meaſure of conciliation, would only furniſh grounds for new claims, or produce terms of pretended obedience and ſubmiſſion.

THE duke of Grafton's motions were negatived without a diviſion.

AMONG other means of raiſing ſupplies, the miniſter propoſed a land tax of four ſhillings in the pound. This meaſure, ſo unpalatable to the country gentlemen, afforded oppoſition the means of arraigning the conduct of miniſtry, and alarming the jealouſy of thoſe who would be moſt affected. Mr. Hartley ſaid, little foreſight was neceſſary to propheſy laſt year, that the land tax muſt be raiſed to four ſhillings, and

13th Nov. Land tax at 4s. in the pound.

CHAP. XXVII. 1775.

he saw no probability of its ever being reduced. He made numerous statements and calculations to prove that, instead of deriving the promised revenue from America, England would be encumbered with a perpetual mortgage on the land, to pay for measures equally unjust and ill executed.

These arguments produced the desired effect; Mr. Baldwin observed, he always understood the dispute with America to be for a revenue in relief of the country gentlemen; but having since learnt that the idea of taxation was abandoned, he considered it improper to embark in further expenses.

After replying to several of Mr. Hartley's statements, lord North denied that taxation was renounced. A mode he said would be adopted, for obtaining a contribution from America; when ministers declared the idea of taxation was abandoned, they meant only that it was abandoned for the present; taxation being but a matter of secondary importance, when the supremacy and legislative authority of the country were at stake. Taxation should be enforced; because, to ensure legislative authority and commercial advantages, it would be necessary to combine them with a tax, even though attended with no direct profit.

This explanation was deemed satisfactory, and the measure encountered little further opposition [k].

16th Oct. Nova Scotia petition.

On the first day of the session a petition was presented to each house from the general assembly of Nova Scotia, replete with expressions of loyalty, and deploring the prospect which the present state of affairs opened to America. They proposed, as the means of terminating amicably all differences, and preventing the possibility of their being renewed, a tax *ad valorem* on all commodities imported into the province, not being the produce of the British dominions, except bay salt. This tax would include almost all luxuries,

[k] A division took place on an amendment moved by Sir George Younge, for continuing the land tax at three shillings in the pound, but it was negatived, 182 to 47.

and

and would increaſe in an equal ratio with the affluence of the inhabitants. The offer was made in compliance with the conciliatory propoſitions, and the petitioners hoped it would ſerve as a model and precedent. CHAP. XXVII. 1775.

LORD NORTH moved, in a committee of the houſe of commons, that this propoſal ſhould be accepted, the tax not to exceed eight per cent. and when the legiſlature of Nova Scotia ſhould have paſſed an act for effectuating it, their trade ſhould be reſtored, and they at liberty to import wines, and certain other articles, directly from any other country. It does not ſeem to have occurred, until ſuggeſted by Sir George Younge that this petition contained the ſame doctrines, breathed the ſame language, and claimed the ſame rights as the declaration of congreſs. Sir George moved an amendment, which was over-ruled, but the petition was not afterwards cordially eſpouſed. It was reported, and a long debate maintained on ſome propoſed amendments, and an ironical reſolution moved by Mr. Burke, but the ſubject was gradually relinquiſhed. 23d Nov. 29th.

THE petition of congreſs being alluded to in the king's ſpeech, was ſubmitted to the inſpection of parliament. Before this paper was regularly diſcuſſed in the houſe of lords, Mr. Luttrell endeavoured to conciliate the lower houſe to the pretenſions and character of congreſs, by moving an addreſs for empowering commiſſioners to receive conciliatory propoſals from any general convention, congreſs, or other collective body, conveying the ſentiments of one or more colonies, ſuſpending all inquiry into the legal or illegal forms under which ſuch colony might be diſpoſed to treat. This motion was introduced by a long ſpeech, tending to prove, that in Great Britain, more than any other country, government had been brought back to its firſt principles, by extra-formal aſſemblies of the people, in a convention, or congreſs. By ſuch a convention, he argued, monarchy had been reſtored in 6th Nov. Debates on the petition of congreſs to the king. 7th Nov.

CHAP. XXVII. 1775.

in the perſon of Charles II. and ſuch a convention in 1688 perfected the glorious Revolution. No anſwer was made to this harangue, but by obſerving, that to treat with the American congreſs would be to admit it a legal aſſembly, and conſequently that the conduct of Great Britain was entirely founded in injuſtice. The motion was negatived.

7th Nov. Mr. Penn examined.

WHEN the lords, in purſuance of the order of the day, were proceeding to take into conſideration the petition of congreſs, the duke of Richmond ſaw Mr. Penn ſtanding below the bar, and anticipating that ſome doubts would ariſe reſpecting the authenticity of the paper, urged the propriety of examining him as a witneſs. After a ſtrenuous debate on order, and precedent, mixed with much perſonal invective, the miniſtry conceded that his evidence ſhould be received.

10th Nov.

THE examination was conducted by the duke of Richmond, who had previouſly communicated the queſtions he intended to aſk. Mr. Penn had been conſtantly reſident in America four years, two of which he had been governor of Pennſylvania; he deſcribed the congreſs as men of character and intelligence, capable of conveying the ſenſe of their conſtituents, and without means of enforcing obedience, but through the confidence repoſed in them: that confidence, however, was ſo unlimited, that no ſufficient protection could be found for perſons who ſhould advance ſentiments differing from thoſe which they had promulgated. The people generally conſidered themſelves fully able to reſiſt the arms of Great Britain employed to enforce taxation, and the late obnoxious acts. The war was commenced and proſecuted by the inclination and zeal of the people, in defence of their liberties, though not, as the witneſs believed, for the purpoſe of eſtabliſhing independency; but unleſs conciliatory meaſures were ſpeedily purſued, he feared the Americans would form connexions with foreign powers, which they would not eaſily be induced to renounce. They were diſſatisfied with the

reception

reception of their petitions, and had formed great hopes of that delivered by the witneſs, which was ſtyled *the Olive Branch;* and the commiſſion to preſent it was conſidered a ſubject of congratulation by his friends. He deſcribed the diſſatisfaction occaſioned by the ſtamp act, and the exultation at the repeal, and was of opinion, that the declaratory act would have occaſioned no diſcontent, had America been left in the ſtate ſhe then was: he believed the colonies inclined to acknowledge the imperial authority of Great Britain, in every particular, except taxation, and to acquieſce in the words of the declaratory act.

The duke of Richmond's motion.

UPON this evidence, manifeſtly partial, and neceſſarily imperfect, from the ſituation of the witneſs, whoſe knowledge was avowedly limited to Pennſylvania, the duke of Richmond founded a motion, "That the petition was a ground for conciliation of the unhappy differences between Great Britain and America." He extolled its language as that of dutiful ſubmiſſion to the ſovereignty of the mother-country, ſo far as was compatible with the rights ſecured to freemen by the conſtitution of the empire; and traced all the difficulties, dangers, and inconveniencies attendant on a project of forcible conqueſt.

LORD SHELBURNE coincided in theſe ſentiments, and expatiated on the topics urged by the duke of Richmond, in terms ſtill more forcible. He predicted national ruin from the proſecution of the conteſt, and ſaid, if miniſters perſiſted in meaſures neither juſtifiable on principles of policy or of liberty, he ſhould apply to them the adage, "*Quos deus vult perdere prius dementat.*"

THE earl of Dartmouth defended the refuſal to anſwer the petition, by obſerving, that unleſs preſented to the king on the throne, no anſwer could be expected as of right; and it would have been indecent in the ſecretary of ſtate to give an anſwer unauthorized. If ſilence was conſtrued into diſapprobation, the

CHAP. XXVII. 1775.

the conſtruction was juſtifiable. *The petition, in its* expreſſions, was unexceptionable, but there was every reaſon to believe the ſoftneſs of the language purpoſely adopted to conceal the moſt traitorous deſigns. Did it become the offending party to dictate the terms on which peace would be accepted?

Lord Lyttleton, with great warmth, deſcanted on the partiality of the witneſs, and declared he could have confronted him with a perſon of unexceptionable character, poſſeſſed of ten thouſand acres of land in New England, but that individual was afraid to appear, from a certainty that his property would be totally deſtroyed, and his perſon proſcribed. "Suppoſing, however, Mr. Penn's evidence impartial, what was the purport of the motion, but that the acts of the Britiſh parliament, its repeated addreſſes to the throne, his Majeſty's own moſt ſolemn declarations, were to be ſuperſeded by the commands, not addreſſes, of the rebellious Americans? Thoſe audacious rebels, who endeavoured to impoſe on his Majeſty inſidious, traitorous, falſe expreſſions of loyalty and obedience, while in the ſame breath they appealed to the people of Great Britain and Ireland, abuſed the parliament, denied their power, invited their fellow-ſubjects to make a common cauſe, and thus, at once, endeavoured to involve every part of this great empire in one general ſcene of rebellion and bloodſhed. Are theſe the men you would treat with? Is this the cauſe the pretended friends of the country would endeavour to defend? Or would you, by agreeing with this motion, relinquiſh your dominion over thoſe worſt of rebels, and tamely ſubmit to transfer the ſeat of empire from Great Britain to America?"

Lord Sandwich, whoſe temper and mildneſs in debate furniſhed at once a contraſt and reproof to the vehemence of lord Lyttleton, defended that nobleman againſt the animadverſions he incurred by his irritability, and unfolded many errors and exaggerations in the ſtatements of American force and Britiſh alliances.

He

He expoſed with perſpicuity the geographical and political miſtakes made by the opponents of miniſtry, cenſured their aſſumptions of mere ſuppoſitions for facts, and rectified their miſ-ſtatements of the ſtrength and zeal of the country.

THE duke of Richmond's motion was negatived [l]. Negatived. 16th Nov.

MR. BURKE again judged it expedient to propoſe to the houſe a project of conciliation, which he introduced at the moment of preſenting a petition from the inhabitants of certain towns in Wiltſhire, againſt the proſecution of the war. His motion was "For leave to bring in a bill for compoſing the preſent troubles, and quieting the minds of his Majeſty's ſubjects in America," founded on the ſtatute of Edward I. *de tallagio non concedendo.* In conformity to this precedent, he propoſed a renunciation of taxing, a repeal of ſtatutes made on a contrary principle, ſince the year 1766, a general pardon, and a congreſs to be held by royal authority, for the adjuſtment of differences [m]. Burke's conciliatory bill.

IN his ſpeech, Mr. Burke obſerved, three plans were afloat with regard to America; firſt, ſimple war, in order to a perfect conqueſt; ſecond, a mixture of war and treaty; and third, peace grounded on conceſſion. The firſt plan was to be effected in two ways; the one direct, by conqueſt, the other indirect, by diſtreſs. The forces to be employed in America amounting on paper to no more than 26,000, were, he contended, inſufficient for conqueſt; and without anticipating the ſucceſs or fruſtration of the plan of diſtreſs, he objected to it as not leading to a ſpeedy deciſion. The longer our diſtractions continued, the greater the chance of interference by the Bourbon powers, which, in a protracted war, he conſidered not only probable, but certain; and this country was utterly incapable of coping with America and thoſe powers in conjunction.

[l] 86 to 33. [m] See the bill in the Parliamentary Regiſter, vol. iii. p. 182.

CHAP. XXVII. 1775.

THE ſecond project, of force mixed with treaty, appeared moſt favoured by miniſters, but met with his decided diſapprobation. Miniſters did not propoſe to negotiate with the preſent, or any other general congreſs or meeting, but with the ſeveral aſſemblies diſtinctly. In this ſcheme they knew they could not ſucceed, becauſe the chartered aſſembly of one principal province, that of Maſſachuſet's Bay, was deſtroyed by act of parliament. No aſſembly would ſit under the new conſtitution, becauſe the inhabitants muſt then, as a preliminary, ſurrender the principal object for which they had armed; and thus, before the opening of the negotiation, decide the conteſt againſt themſelves: the treaty muſt therefore ſtumble on the threſhold. Beſide this fundamental objection, he urged the impoſſibility of ever terminating a negotiation with ſo many provinces, of ſuch different conſtitutions, tempers, and opinions, while in the mean time, hoſtilities, with their whole train of diſadvantages, accidents, and ruinous expences, would be continued. The objects of treaty muſt be either the recognition of abſtract rights, on as large a ſcale as parliament claimed them, to which the Americans would never ſubmit; or upon a leſſer, to which they had already ſubmitted. Another object of treaty might be a practical recognition of the right of Great Britain to tax for a revenue, either nominal or beneficial; if nominal, it amounted only to a ſpeculative acknowledgment of right, which they would for ever refuſe; if beneficial, they would grant it only in the ancient mode, which from the beginning of the conteſt they had repeatedly tendered; that of contributing according to their ability, eſtimated by themſelves. If miniſters treated for a revenue, or any other purpoſe, they could only rely on the force which procured the terms, or the honour, ſincerity, and good inclination of the people. If nothing but force could hold them, and they aimed at independency, as the ſpeech from the throne aſſerted, then the houſe was to conſider how a

ſtanding army of 26,000 men, and ſeventy ſhips of war, could be conſtantly maintained. "A people aſpiring at independency, will not abandon it becauſe they have, to avoid a preſent inconvenience, ſubmitted to treaty. After all our ſtruggles, America muſt be retained by her good inclination. If this fails, all fails; and it were better to truſt to the honeſty of the colonies, before we ruined ourſelves and irritated them, than after we had alienated their affections for ever."

HAVING dilated on theſe topics, Mr. Burke came to his own propoſition, that of conceſſion previous to treaty. He put no great faith in any negotiation, and none in an armed negotiation; he would therefore recommend little treaty, and that as ſhort as poſſible. The houſe would judge whether conceſſion was neceſſary, and if they decided in the affirmative, it would be moſt conſiſtent with their dignity to make it immediately, and of their own free grace. A neceſſary preliminary, however, would be the diſmiſſion of the miniſtry. In no time or country, or under any form of government, was the power of miniſters ſuffered to ſurvive the ſucceſs of their counſels; or the ſame men permitted to inflame a dependent people to arms and then appeaſe them by conceſſions. In conceſſion, the credit of a ſtate is ſaved by the diſgrace of a miniſter; becauſe it is his counſel alone that is diſcredited. But when the very ſame miniſters, in conſequence of reſiſtance, forego their own acts, the nation itſelf ſubmits.

HE then read his bill, and ſhewed its conformity to its model, ſuppoſing Great Britain to ſtand in the place of the ſovereign, and America in that of the ſubject. The circumſtances were not indeed in every reſpect exactly parallel, but ſufficiently ſo to juſtify his following an example that gave ſatisfaction and ſecurity on the ſubject of taxes, and left all other rights and powers exactly as they ſtood before the arrangement.

AT firſt he intended to propoſe the repeal of the declaratory act, but found it impoſſible, without mak-

CHAP. XXVII. 1775.

ing the legiſlature accuſe itſelf of uttering falſe propoſitions, and advancing groundleſs claims: it would be a denial of legiſlative power, as extenſive as the affirmation. To repeal all the acts ſince 1763 was impoſſible, without ruining the whole ſyſtem of trade laws, and ſome which were extremely beneficial to America. All thoſe which leaned on the coloniſts, and were the cauſe or conſequence of our quarrel, ſhould be repealed; and the bill authorized a negotiation for ſettling all inferior matters to mutual advantage. The congreſs did not require this ſweeping repeal as a preliminary to peace; but even if it had, he did not conceive that men treating of peace muſt perſevere in demanding every thing they claimed in the height of the quarrel. The cauſe of the diſſenſion was taxation; that once removed, the reſt would not be difficult; and he was confident, both from the nature of the queſtion, and from information which did not uſe to fail him, that this bill would reſtore immediate peace; and as much obedience as could be expected after ſo rude a ſhock had been given to government, and after ſo long a continuance of public diſturbances.

Ably oppoſed by governor Pownall.

THIS propoſition occaſioned a long debate, in which the principal ſpeakers on both ſides engaged, with their utmoſt ſpirit and ability. The chief opponent to Mr. Burke, whoſe arguments are preſerved, was governor Pownall. Following the mover in his diviſion of the ſubject, he expoſed many fallacies in his reaſoning, and many errors in his ſtatements. He gave, as an analyſis of Mr. Burke's theory, that Great Britain muſt either change the ſentiments of the Americans by negotiation, or ſubdue the riſing ſpirit; the riſing ſpirit was not to be ſubdued, and while war laſted, it was not to be changed by negotiation: parliament muſt, therefore, previouſly make conceſſions, diſavow their declarations, repeal their acts, ſue for peace, and the Americans might grant it. By this plan the unſuſpecting confidence of the colonies muſt be regained by removing the ground of the difference. Even ſuch a project

was not recommended by experience: "when the ſtamp act was repealed, the mover ſays, the Americans reſigned themſelves to their former unſuſpecting confidence;" the declaration of congreſs expreſsly contradicts the aſſertion: "After the repeal of the ſtamp act," they ſay, "having again reſigned ourſelves to our ancient unſuſpicious affections for the parent ſtate, and anxious to avoid any controverſy with her, in hopes of a favourable alteration in ſentiments and meaſures towards us, we did not preſs our objections againſt the above-mentioned ſtatutes made ſubſequent to the repeal." Among theſe were the declaratory act, and the act for impoſing other duties in lieu of that which was retracted. CHAP. XXVII. 1775.

GOVERNOR POWNALL then entered into a detail of the various acts, which, from the twenty-fifth year of Charles II. had laid duties on the colonies for the purpoſe of raiſing a revenue for England; he ſhewed that the Americans required a repeal of theſe, as well as of the ſubſequent acts, and that they neither were, nor could be content with what was done in 1766. Mr. Burke's propoſition therefore did not go back ſo far as congreſs demanded, not even ſo far as the year 1763; the declaratory act and the revenue act were left unrepealed, while congreſs ſtated their abhorrence of the former law, demanding what was to defend them againſt ſo enormous, ſo unlimited a power. This fault in the plan aroſe from the propoſer's partiality to his own friends, under whoſe auſpices the obnoxious acts were paſſed. The Americans would not be ſo ſatisfied; for when they limited their preſent demands to the infringements of their rights ſince the year 1763, they carefully reſerved the further conſideration of the general ſtate of American claims to a future day. The governor was adverſe to all partial conceſſions and repeals, which could produce nothing but an endleſs ſucceſſion of quarrels and temporary reconciliations. The bill itſelf, although grounded on the complaints of American grievances, did not afford

CHAP. XXVII. 1775.

the redreſs and remedy: it went only to the year 1766, but to be real and efficient, it muſt be extended to 1672. "They complain," he ſaid, "of the admiralty juriſdiction: now that is as old as the act of navigation. By that act ſhips navigated contrary to law were to be ſeized, and might be brought to the court of admiralty in England, on the expreſs principle, that there ſhould be no party juries. For the eaſe, and not the aggrieving of the ſubject, courts of admiralty were afterwards eſtabliſhed in the colonies, and all this ſyſtem ſtood eſtabliſhed before 1764. To my argument it is nothing how far this is right or wrong, grievous or otherwiſe; but the Americans complain of it; and if the bill which is to afford redreſs, and concede to their complaints, muſt be effectual, in order to gain their confidence, this bill does not go far enough: there are others willing to go further."

HE then moved the previous queſtion, which was decided in the negative [n].

7th Dec. Hartley's propoſitions.

MR. HARTLEY renewed his conciliatory efforts, apologizing for his perſeverance by adverting to the magnitude of the object, upon which not only the fate of our own times, but of all future ages, both

[n] 210 to 105. In the courſe of this debate, Sir George Savile, with conſiderable pleaſantry, ſuppoſed the houſe of commons the American congreſs, and aſſigned to the principal perſons the characters of the leading Americans. "The learned Gentleman, Mr. Wedderburne, for his quiet and temperate character, ſpirit of moderation, deep philoſophy, love of liberty and his country, I will ſuppoſe is Dr. Franklin. I have fixed upon him, beſides, as his particular friend. His neighbour, lord George Germaine, is general Putnam. His next neighbour, lord North, Mr. Adams. And there is a gentleman, I can ſuppoſe to be Mr. Hancock—I beg your pardon Mr. Speaker, (bowing to the ſpeaker,) you are Mr. Hancock. Now I will ſuppoſe all theſe great men got together; and our Dr. Franklin to take up the defence of the colonies with all that wit and eloquence of which he is maſter. I will only ſuggeſt the topics upon which he would talk." He then put all the ſtrongeſt words and arguments in defence of America, into the mouth of this ſuppoſed Dr. Franklin, and went on in the ſame manner with the other imaginary perſons. Mr. Fox, with great wit and readineſs, gave a deſcription of the treaſury-bench, beginning with Mr. Ellis, and ending with Mr. Cornwall, by a ſingle epithet, happily marking the characters of each with fine ſatire, and without breach of decorum. And Mr. Wedderburne, in anſwer to an obſervation of Mr. Burke, on the conduct of Demoſthenes, deſcanted on the hiſtory of that period, with alluſion to the preſent times. His ſpeech, though delivered at three o'clock in the morning, awakened the attention of every individual in the houſe.

in

in this country and America, would depend. He took the ground of his propoſition for pacification from the petition of congreſs, which he characterized as moſt dutiful and affectionate, humbly ſupplicating the king to become the mediator of peace between them and their parent ſtate. Lord North, at the beginning of the ſeſſion, having expreſſed an ardent wiſh that affairs were in the ſame ſtate as in the year 1763, Mr. Hartley would unite with him on thoſe terms; for although he conſidered the miniſtry at all times aggreſſors, he thought it not unreaſonable to expect from America ſome conceſſion to the national honour. The Americans had offered to make any reaſonable ſacrifice; he would embrace the ſuggeſtion, and as a hankering after revenue ſtill lurked in the miniſter's heart, he might alſo obtain a revenue if he would receive it in a conſtitutional way. Even ſuppoſing that a right to tax America could be proved, juſtice, which is ſuperior to all rights, would require its dereliction. It is the prerogative of the commons of England to give and grant by their own repreſentatives; the commons of Ireland poſſeſs the ſame prerogative; which has always been equally enjoyed by the commons of America. Had the reverſe been true; had the right of taxing unrepreſented America been undiſputed, and the exerciſe cuſtomary and notorious; yet, conſidering the oppreſſion and grievances of unrepreſented taxation, it would have been the duty of parliament to rectify the conſtitution of America by the Britiſh model. If adminiſtration were ſincere in the deſire for peace, he would offer terms of accommodation, by which, if the Americans were replaced in the ſame poſition as in 1763, they ſhould give full ſatisfaction on the point of honour, and an effectual, not mere verbal recognition of the authority of the mother-country as it then was. The teſt ſhould be, the regiſtering, by the aſſembly of each province, of ſome act of parliament on principles of juſtice, and ſuch as the colonies would in

CHAP. XXVII. 1775.

1763 have received with a ſilent and thankful compliance.

His motions were, firſt, for a ſuſpenſion of arms during the treaty of pacification; ſecond, for a reſtoration of the legiſlature of Maſſachuſet's Bay, according to the charter; third, for a bill to eſtabliſh the right of trial by jury in criminal caſes to all ſlaves in North America, and to requeſt the regiſtering of that act by the *aſſemblies in each colony*. This was the propoſed teſt. Fourth, for a bill to reſtore the Americans to the poſition in which they were in 1763; and fifth, for a free pardon, indemnity, and oblivion. They were all negatived *.

Rejected.

These motions appear to contain ſome good principles of conciliation, if conciliation was indeed poſſible: the arguments againſt them are not preſerved. Lord North objected to the attempt as unſeaſonable, till experiment had been made of a meaſure of ſuch vaſt extent as the prohibitory bill, which was then paſſing through the houſe.

20th Nov. Bill for prohibiting commercial intercourſe with America.

This meaſure was introduced by the miniſter himſelf, for the purpoſe of terminating all intercourſe with the colonies during the rebellion, repealing the Boſton port and reſtraining acts, and enabling the king to appoint commiſſioners, and iſſue proclamations in certain caſes. He explained the neceſſity of reſtraining the American trade during the rebellion, and the juſtice of immediately removing the reſtraint from any colony wherein it might ceaſe; the Boſton port act, and other acts of laſt year, being framed on other grounds and for other purpoſes, would impede this operation; the reſtraining acts were civil coercions againſt civil crimes; but in a ſtate of war, the proviſions were ineffectual, and others became neceſſary: thoſe he now propoſed would be uſed in war with any country; but were framed under proviſos facilitating the approach of peace. The charter acts could not

* 122 to 21.

be

be repealed while the Americans denied the right of making them: the bill for the adminiſtration of juſtice there was no occaſion to repeal, becauſe the country being in actual war, martial law took place, and there were no courts in which it could operate. He ſhould alſo be ready to repeal the tea duty, on the ſame grounds that he would ſuſpend every exerciſe of the right of taxation, if the colonies themſelves would point out any mode by which they would bear their ſhare of the burden, and give their aid to the common defence. The clauſe reſpecting the commiſſioners meant, beſide the granting of pardons, that they ſhould inquire into any material change of circumſtances in the colonies; remedy real grievances or oppreſſions; and if any part, or a whole colony, returned to a proper ſtate of obedience, declare that colony or part to be in peace, upon which the reſtrictions in the preſent bill were to ceaſe. CHAP. XXVII. 1775.

In vindication of his own conduct, lord North obſerved, the diſpute about taxation was begun and prepared before he engaged in it as a miniſter; he embraced it when the colonies, being already taxed, diſputed a right which the country had determined not to ſurrender. If the colonies, by appealing to arms, had made war the medium, although peace was the only point he ever retained in view, he muſt purſue it through that medium. To theſe principles he declared his ſtedfaſt adherence.

Mr. Fox decried the propoſition as tending to deſtroy all trade with America, and accuſed the miniſter of deſigning to ruin the manufacturers in order to induce them to inliſt in the army, which could no otherwiſe be recruited. He moved as an amendment, to omit the whole of lord North's propoſition, except what related to the repeal of the obnoxious laws.

During this debate the nature of civil wars, and the propriety of active exertion in military commanders, when their opinions were repugnant to the ſervice,

CHAP. XXVII. 1775.

ſervice, was brought into diſcuſſion. Lord Howe declared he did not conceive any ſtruggle ſo painful, as that between duties as an officer, and as a man; if left to his choice, he certainly ſhould decline to ſerve, but if commanded, it was his duty, and he ſhould not refuſe to obey.

General Conway urged the difference between a foreign war, where the whole community was involved, and a domeſtic war on points of civil contention, wherein the community was divided. In the firſt caſe, no officer ought to call in queſtion the juſtice of his country; in the latter, a military man, before he drew his ſword againſt his fellow-ſubjects, ought to examine his conſcience, whether the cauſe was juſt.

Mr. Thurlow, with becoming indignation, decried theſe ſentiments. Let the honourable gentleman, he ſaid, juſtify his conſcience to himſelf, but not hold it out as a point of doctrine to be taken up in a quarter, and line of ſervice, where his opinions might be ſuppoſed to have great influence; for if once eſtabliſhed as doctrine, they muſt tend to a diſſolution of government. Lord North's propoſition, he contended, retained the habitual exerciſe of taxation, and left an opening to America, of a permiſſion to raiſe her ſhare of ſupply towards the common defence, by granting it in her own aſſemblies, and giving it in her own way. On this principle, he was willing to coincide in any meaſure that might afford ground for conciliation; yet he thought the only ſure and permanent baſis would be a definition of the relation between the mother-country and her colonies. He added, that as attorney-general, he had a right, by writ of *ſcire facias*, to ſet aſide every charter in America: but in our preſent ſituation ſuch a proceſs would be juſtly the object of ridicule; for the conduct of America was not a matter for judicial, but parliamentary animadverſion.

Mr. Fox's amendment was rejected [p].

[p] 192 to 64.

This

CHAP. XXVII.

1775. 5th to 11th Dec.

THIS law was vehemently oppoſed during its whole progreſs: it was decried as a formal abdication of the government of the colonies, and termed a bill for more effectually carrying into execution the reſolves of congreſs [q]. Petitions were preſented by the Weſt India merchants, and counſel heard; an attempt was made to exclude the province of Georgia from its operation, and ſeveral amendments were tendered in the committee. Oppoſition was carried to the extreme of political violence and perſonal altercation; but at length the bill paſſed without amendment [r].

Debated in the houſe of lords. 15th Dec.

IN the houſe of lords the conteſt was not leſs violent and acrimonious. On the ſecond reading, much of the debate turned on the allegation in the preamble, that the Americans were in rebellion. The peers in oppoſition contended, that they had been forced to take up arms in defence of their property, which ſeveral acts of the legiſlature had attempted unjuſtly to wreſt from their hands; they were reſiſting acts of violence and injuſtice, acts oppreſſive, cruel, and tyrannic, conſequently ſuch reſiſtance was neither treaſon nor rebellion, but, in every political and moral ſenſe, perfectly juſtifiable.

THIS manner of ſpeaking was vehemently cenſured by lord Lyttleton, who, in the phraſe of Cicero ſtyled it *immoderata licentia concionis*; and the earl of Denbigh inſiſted, that, by the laws and conſtitution of this realm, any other treaſonable expreſſion might be as well juſtified, under the claim of exerciſing the privilege of ſpeech, as the aſſertion that America was not in rebellion, or that reſiſtance to the acts of a Britiſh parliament is no more than reſiſtance to the moſt wanton act of tyranny and oppreſſion. Thoſe who defend rebellion, he ſaid, are themſelves little better than rebels; and there is no great difference between the traitor and him who openly or privately abets treaſon.

[q] Hiſtory of lord North's Adminiſtration, p. 220.
[r] The final diviſion was 112 to 16.

A PROTEST,

CHAP. XXVII. 1775.

A PROTEST, signed by eight peers, was entered on the journals against committing the bill*.

Protest.

DURING its further progress several amendments were made; delay was attempted, and a petition presented from the merchants of Bristol, requesting a suspension of its operations for two months: but without effect.

20th Dec.

ON the last reading, lord Mansfield defended the measure in all its parts, and the conduct of government toward America in general. He always was of opinion, that the people of America were as much bound to obey the acts of the British parliament, as the inhabitants of London and Middlesex; and thought that ever since the peace of Paris, the northern colonies had been meditating independency. They have said so in a publication of the continental congress, wherein they thank providence for inspiring their enemies with the resolution of not attempting to carry their schemes of dominion into execution till they had arrived at a growth and strength sufficient to resist them. Whatever might be their wishes before that time, their situation rendered it impracticable, because Great Britain alone could protect them against the power of France, to which their whole frontier lay exposed. But allowing all their professions genuine, their inclinations, those of duty and respect towards this country, that they entered into the present rebellion through the intrigues and arts of a few factious and ambitious men, or those who ultimately directed them; that the stamp act was wrong that the declaratory law might assert the supremacy over that country, but it ought never to be exercised nor amount to more than such a power as his majesty claims over France, a mere nominal dominion that no troops should be sent even to defend the Americans, without their own permission; that the Admiralty courts should

* This division was 78 to 19.

never

never be made to extend there, though by the trial by jury, the parties themſelves would be judges; that offenders againſt the laws and authority of this country ſhould be tried for offences by perſons who themſelves were ready to declare they did not think the charges criminal; that no reſtraints ſhould be laid upon their trade, though that great bulwark of the riches and commerce of this country, the act of navigation, depended on ſuch reſtrictions; that every meaſure hitherto taken to enforce ſubmiſſion to parliamentary authority, was cruel and unjuſt, that every miniſtry had been tyrannic and oppreſſive, and the laſt worſt of all; yet admitting all this to be true, was Great Britain to reſt inactive, till America thought proper to begin the attack, and gained ſtrength to do it with effect? We are now in ſuch a ſituation, that we muſt either fight or be purſued. A Swediſh general, in the reign of Guſtavus Adolphus, pointing to the approaching enemy, ſaid to his troops, 'My lads, you ſee thoſe men, if you do not kill them, they will kill you.' The ſame ſentiment is applicable to the preſent caſe. If we do not get the better of America, America will get the better of us. They have begun to raiſe a navy; trade will beget opulence, and they will be enabled to hire ſhips from foreign powers. It is ſaid the preſent war is only defenſive on the part of America. Is the attack on Canada, or the attempt at Halifax, a defenſive war? Is the prohibiting all trade and commerce with every other part of the Britiſh dominions, even with Ireland, for which they expreſs ſuch friendly ſentiments; is ſtarving the ſugar iſlands acting on the defenſive? No; though thoſe people never offended, nor oppreſſed us, we will diſtreſs them, ſay they, becauſe that will be diſtreſſing of Great Britain. Are we, in the midſt of all outrages, of hoſtility, of ſeizing our ſhips, entering our provinces at the head of numerous armies, and ſeizing our forts, to ſtand idle, becauſe we are told this is an unjuſt war, and wait till they have brought their arms to our very doors? The juſtice of

CHAP. XXVII. 1775.

CHAP. XXVII. 1775.

of the cauſe muſt give way to our preſent ſituation; and the conſequences which muſt enſue, ſhould we recede, would, nay muſt, be infinitely worſe than any we have to dread by purſuing the preſent plan, or agreeing to a final ſeparation."

21ſt Dec. THE bill paſſed without a diviſion. Mr. Hartley vainly attempted to procure its rejection, when returned in an amended ſtate to the commons: and both houſes adjourned for the Chriſtmas receſs[t].

21ſt & 22d. Receſs.

Changes in adminiſtration. DURING the ſeſſion, ſeveral changes took place in the adminiſtration. The duke of Grafton appears to have been always diſpoſed to repeal the American tea duty[u], although he continued in adminiſtration when

4th Nov. that meaſure was rejected. On the firſt day of the ſeſſion, he ſeized the opportunity of claiming popularity by oppoſing the addreſs; in a ſhort period he reſigned the privy ſeal, and became an active member of oppoſition. General Conway alſo abandoned the cauſe of adminiſtration, but was not removed from the

10th Nov. Lord George Germaine, ſecretary of ſtate for America. His character. government of Jerſey. The earl of Dartmouth received the privy ſeal, and lord George Germaine, uncle to the duke of Dorſet, ſucceeded to the ſecretaryſhip of the American department. This nobleman, deſcended from the illuſtrious race of Sackville, dukes of Dorſet, ſupported the ſtamp act under Mr. Grenville's adminiſtration. His perſon tall and dignified, added force to a manly elocution: his harangues were rather argumentative than florid; without reſorting to the artificial graces of oratory, he addreſſed the judgment, conſtantly confining himſelf to the ſubject under debate; he was conciſe, and as he never roſe to ſpeak but upon a weighty queſtion, he was heard with attention, and ſpoke with effect. By him the operations of the war are ſuppoſed to have

[t] In a ſubſequent period of the ſeſſion, ſome ſuppoſed partialities and imputed frauds in carrying this act into effect, gave riſe to complaints, which were inveſtigated in parliament; a committee was formed, evidence heard, and animated debates maintained in both houſes.

[u] See Mr. Fox's ſpeech in the houſe of commons, 20th Dec. 1775.

been

been generally planned, and to him their superintendency was principally intrusted [w]. But the great talents of this able minister were counteracted by the unpopularity of his name. It is almost unnecessary to remind the reader, that lord George Sackville, who had taken the name of Germaine, having in the preceding reign, after the battle of Minden, demanded a court-martial to inquire into his conduct, was declared incapable of any military employment. This sentence was enforced, even with asperity; and when it was confirmed by George II. a severe and unprecedented stigma was added, and commanded to be given out in public orders; and the same day his Majesty in council ordered the name of lord George Sackville to be struck out of the list of privy-councillors. By the Rockingham administration he was restored to his seat at the council-board, and appointed joint vice-treasurer of Ireland. Without entering into the merits of the question respecting his disgrace, his appointment to his new office was undoubtedly very unpopular. Lord George possessed great dignity of mind, and sterling sense; his manners were rather distant than attractive; he was a severe check on those who suffered a lavish expenditure through neglect, or to gratify dependents, or with a view to power or popularity.

10th Nov. Other changes.

The earl of Rochford retiring about the same time, was succeeded by lord viscount Weymouth, who thus resumed the office he vacated at the time of the dispute relative to Falkland's Island. Lord Lyttleton, who, on the first day of the session, had opposed the address, was gratified with a seat at the council board, and the office of chief justice in Eyre beyond Trent. Administration gained, or rather, for a time, fixed on their side a florid, ready, and eloquent speaker; but the reproach of versatility, often repeated, prevented the beneficial effects of his exertions.

17th Nov.

CHAP. XXVII.

1775. Deſpondency of adminiſtration.

THE efforts of oppoſition, although unſucceſsful in parliament, threw a gloom, approaching to deſpondency, over the miniſtry: the affairs of America became daily more perplexed and unpromiſing, and the probability that the cauſe of congreſs would grow more generally popular, indicated a neceſſity for increaſing energy. Treaties were concluded with the duke of Brunſwick, and ſome other continental princes, for troops; but the empreſs of Ruſſia, whoſe aſſiſtance was expected, and in a certain degree promiſed [x], refuſed to permit her forces to be engaged in a foreign ſervice as mere mercenaries; and though ſhe ſtill continued on the moſt amicable terms with Great Britain, and held out a proſpect of future co-operation, no immediate aſſiſtance could be obtained [y].

[x] See Gibbon's Miſcellaneous Works, v. i. p. 495. 497.
[y] From private information. Alſo ſee Œuvres du Roi de Pruſſe, tom. iv. p. 291.

## CHAPTER THE TWENTY-EIGHTH:

### 1775—1776.

*State of Ireland.—Effect of the American conteſt.—Money bill rejected.—Contract reſpecting troops.—Debated in the Britiſh parliament.—Debate on the treaties with German princes.—In the houſe of lords.—Motion by the duke of Richmond.—Debate on the army extraordinaries.—The duke of Grafton's conciliatory propoſition.—Mr. Hartley's propoſition to place America on the ſame footing as Ireland.—Sawbridge's motion for that purpoſe.—Fox's motion for a committee of inquiry.—Miſcellaneous tranſactions.—Wilkes's motion for a reform of parliament.—Trial of the ducheſs of Kingston.—Motion for inſpecting the powers of commiſſioners.—Againſt prorogation.—King's ſpeech on terminating the ſeſſion.—View of the conduct and politics of foreign powers.—France.—Spain.—Auſtria.—Pruſſia.—State of the preſs in England.—Dr. Price's publication.—Its effects.—Re-eſtabliſhment of tranquillity in the city.*

CHAP. XXVIII.

1775.

State of Ireland.

IRELAND ſhared in the ſenſations excited by the American diſpute, and during the government of lord Harcourt, ſtrong parties were formed, and great exertions growing to maturity. The public was frequently alarmed by accounts of the defection of manufacturers, the migration of labourers, and the ſucceſsful operations of rioters; but for ſeveral years no important tranſaction occurred.

Effect of the American conteſt.

As the American conteſt advanced, the parliament of Ireland, and the people of Dublin, began again to embarraſs government with oppoſition and cabals. The diſſenters were active and violent[a]; and the guild of merchants of the metropolis, beſide their addreſs of thanks to lord Effingham on his reſignation, voted

[a] Gibbon's Poſthumous Works, vol. i. p. 496.

CHAP. XXVIII. 1775.

a ſimilar compliment to thoſe peers who, "In ſupport of the conſtitution, and in oppoſition to a weak and wicked adminiſtration, proteſted againſt the American reſtraining bills[b]." The ſheriffs and common council were alſo deſirous of imitating the city of London, by tranſmitting petitions againſt the meaſures relating to America, but were reſtrained by the lord mayor and aldermen. Indignant at this impediment, they declared their anxiety to preſerve their names from the odium which all poſterity muſt attach to thoſe who promoted the acts carrying on in America, their grief for the injured inhabitants of that continent, and their own brave countrymen ſent on the unnatural errand of ſlaughtering their fellow-ſubjects; and reſolved, that whoever refuſed his conſent to a dutiful petition tending to undeceive the king, and by which the effuſion of one drop of ſubject blood might be prevented, was not a friend to the conſtitution.

28th Aug. 1775.

10th Oct. Money bill rejected.

THE lord lieutenant met the parliament with a ſpeech in which he recapitulated the benefits lately derived from the liberality of Britain, reprobated the rebellious ſpirit of the Americans, and recommended attention to the diſcharge of arrears which had been unavoidably incurred. A money bill was prepared and tranſmitted to England, but having been altered in council, was on its return rejected by parliament; which prevented an immediate ſupply.

29th Nov. Contract reſpecting troops.

IN purſuance of the plan of vigorous operation reſolved on in the Britiſh cabinet, lord Harcourt requeſted the houſe of commons to concur in ſending out of the kingdom four thouſand men, to be taken into Britiſh pay, and offering, if it were the deſire of parliament, to replace them by an equal number of foreign proteſtant troops, *as ſoon as his majeſty ſhould be enabled ſo to do*; which were alſo to be maintained without expenſe to Ireland. The houſe reluctantly aſſented to

[b] Annual Regiſter, 1776, p. 43. This addreſs was preſented under the corporation ſeal, and publiſhed with the ſeveral anſwers of each peer.

the

the required diminution of their national force, but refuſed the aid of foreigners in their ſtead [c], and the oppoſition unſucceſsfully endeavoured to obtain an act for embodying the militia [d].

15th Feb. 1776. Debated in the Britiſh parliament.

THIS was the firſt important tranſaction which engaged the attention of the Britiſh legiſlature, after the receſs. Mr. T. Townſhend, after expatiating on the privileges of parliament, which though the undoubted right of all the commons of England, were but ſecondary to that great privilege of keeping the purſe of their conſtituents from the hands of violence, art, or fraud, read the proceedings of the Iriſh legiſlature: lord Harcourt's meſſage, he ſaid, contained two propoſitions, both binding on the Britiſh parliament, to pay the troops to be ſent to America, and to replace them with four thouſand foreign proteſtants; twelve thouſand men were ſtill to be retained in Ireland, which was, at the ſame time, to be relieved of an annual burthen of eighty thouſand pounds. Such a propoſition could only originate in the worſt deſigns, or the moſt conſummate folly: for the miniſter not only engages that the expenſe ſhall be borne by the Britiſh parliament, but, adding folly to temerity, promiſes that eight thouſand men ſhall be taken into pay, although no more than four thouſand would be in the ſervice of Great Britain. He complained of lord Harcourt's meſſage as contrary to the privileges of the Engliſh houſe of commons, derogatory to its honour and authority; and moved for a committee of inquiry.

THE debate was long and animated, frequently degenerating into perſonalities. The defence of lord Harcourt was not conducted on a conſiſtent principle. Some inſiſted that the ſpeaker of the Iriſh parliament had miſtaken the ſenſe of his meſſage, which purported only, that his majeſty, if deſired by the Iriſh and authorized by the Engliſh parliament, would pay the

[c] The diviſion on this occaſion was 106 to 68.

[d] See the meſſages, &c. on this ſubject, Parliamentary Regiſter, vol. iii. p. 315.

CHAP. XXVIII. 1776.

four thouſand foreigners. Others argued, that at the time of increaſing the Iriſh eſtabliſhment, the king had engaged that twelve thouſand troops ſhould always be maintained in that kingdom, except in caſe of actual invaſion or rebellion in England: and the preſent demand for troops not being within thoſe exceptions, it was neceſſary the king ſhould be abſolved from his promiſe by thoſe to whom it was made. An application to the commons of Great Britain would have been a direct violation of the promiſe to Ireland.

On the other ſide it was contended, that the meſſage was an experiment to procure the reception of foreign troops, in order to eſtabliſh a precedent, which afterward might be applied to other purpoſes. It was the aim of adminiſtration to habituate both countries to certain notions which muſt in the end reduce the parliament of each to mere inſtruments, without will or independence. It was a ſcheme, however deep, formed on very ſimple principles, and had a direct tendency to veſt in the crown the virtual power of taxing both countries. In Ireland, the miniſter was to aſk ſome favour; then England was to be pledged: in England, Ireland was to be taxed, in order to maintain the ſupremacy of the Britiſh legiſlature. The various modes of defence were ridiculed with great ſucceſs: no two of the confidential ſervants of the crown agreed in a ſingle ſentiment. Some allowed the meſſage to import what was ſtated in the complaint; others acceded to a part; while a third was ſo modeſt as to contend, in defiance of every rule of rational and obvious conſtruction, that the meſſage meant the very reverſe of its manifeſt import.

In anſwer to an inſinuation by Mr. Dunning, that although this famous meſſage had been diſavowed by the friends of adminiſtration in England, the lord lieutenant would not have riſqued ſuch a meaſure intirely on his own judgment; lord North acknowledged his co-operation in giving general inſtructions; but would not charge his memory with having aſſiſted in framing

framing any ſpecific authority on which it was founded. He thought it however perfectly juſtifiable, and was willing to ſhare in the conſequences.

MR. THURLOW treated the motion as a mere party ſquib, denying that the preamble to an Iriſh law was binding on the parliament of Great Britain; and lord George Germaine, while he admitted that poſſibly the lord lieutenant might have miſunderſtood or exceeded his inſtructions, and that the bargain was not commendable on the ground of economy, contended that the firſt part of the meſſage only propoſed a matter to the conſideration of the Iriſh parliament, clearly and legally within the conſtitutional exerciſe of regal power. If the king had not promiſed to retain twelve thouſand men within the kingdom, he might, by virtue of his prerogative, have ordered all the troops to any part of the Britiſh dominions, without application to parliament.

BOTH miniſtry and oppoſition teſtified, in ample and unequivocal terms, the general merits of lord Harcourt's adminiſtration; and the motion for a committee was negatived, and all inquiry refuſed [e].

On the treaties with German princes.

LORD NORTH ſubmitted to the houſe copies of the treaties with the duke of Brunſwick, the landgrave of Heſſe Caſſel, the hereditary prince of Heſſe Caſſel, and ſubſequently one with the prince of Waldeck [f]. Theſe potentates ſtipulated to afford an aid of 17,742 men: the terms were ſomewhat different, but all ſeemed extravagantly high. Levy money was to be paid at the rate of 7 *l.* 4 *s.* 4 *d.* each: all extraordinary loſſes in battle, ſiege, by contagious malady, or ſhipwreck, were to be compenſated by the king, who was alſo to bear the expenſe of recruiting the corps. Three diſabled men were eſtimated as one killed; the troops were to take oaths to the king of Great Britain, with-

[e] 224 to 106.

[f] The dates of theſe treaties were 3d and 15th January, and 5th of February, 1776. That with the prince of Waldeck, the 29th of April.

CHAP. XXVIII. 1776.

out prejudicing their allegiance to their own prince; to be employed on no extraordinary ſervice, but receive pay, forage, and proviſion, in common with Engliſh troops, and two months pay in advance. Each of the princes received, beſide theſe ſums, a ſubſidy of diſproportionate amount. To the duke of Brunſwick, who ſupplied four thouſand and eighty-four, an annual ſtipend of 15,519 *l.* was ſecured, ſo long as his troops received pay, and double that ſum in the two years ſubſequent to their diſmiſſion. For twelve thouſand men, the landgrave of Heſſe Caſſel obtained 108,281 *l.* per annum, and was to receive twelve months notice of diſcontinuing the payment, after the forces were returned to his dominions. The prince of Heſſe, who contributed ſix hundred and eighty-eight men, was recompenſed with an annual grant of 6,017 *l.*; and for ſix hundred and ſeventy men, the prince of Waldeck received the ſame ſum. The dominions of the princes were alſo guaranteed againſt foreign attack[z].

29th Feb. On moving to refer theſe compacts to the committee of ſupply, lord North urged the neceſſity by which they were occaſioned. Only three queſtions, he ſaid, could ariſe: Whether the troops were wanted? Whether the terms were advantageous; and, Whether the force might be deemed adequate to the intended operations? The reduction of America to a conſtitutional ſtate of obedience being the great object of parliament, adminiſtration adopted the beſt and moſt ſpeedy means of effecting it; men were thus obtained more eaſily, and much cheaper, than by the ordinary mode of recruiting; and the force thus acquired would, in all probability, compel ſubmiſſion, poſſibly without further effuſion of blood.

Lord John Cavendish reprobated the meaſure: Britain was diſgraced in the eyes of all Europe; im-

[z] See the treaties at large in the Parliamentary Regiſter, vol. iii. p. 257, and 504.

poveriſhed,

CHAP. XXVIII. 1776.

poveriſhed, and what was, if poſſible, worſe, reduced to apply to petty German ſtates in the moſt mortifying and humiliating manner, and ſubmit to indignities never before preſcribed to the crown of a powerful and opulent kingdom. Firſt, the troops were to enter into pay before they began their march; a thing unprecedented; ſecondly, levy money was to be allowed; thirdly, thoſe petty princes were to be ſubſidized; fourthly, they *modeſtly* inſiſted on a double ſubſidy; fifthly, the ſubſidy was to be continued two years in one inſtance, and one year in the other, after the return of the troops to their reſpective countries; and laſtly, a body of twelve thouſand foreigners was, under the expreſs words of the Heſſian treaty, to be introduced into the dominions of the Britiſh crown, under no controul either of king or parliament.

MR. CORNWALL corroborated the miniſter's aſſertion, that the pecuniary terms of the treaties were advantageous, and lower than had ever before been obtained: this aſſertion was ſtrenuouſly denied by oppoſition; and Mr. Grenville, lord George Germaine, and lord Barrington, in defending the meaſure, admitted that the terms were ſuch as the princes had preſcribed, and neceſſity compelled the miniſtry to accept.

THE general principle of letting out ſubjects to hire, to fight in the cauſe of foreigners, did not eſcape ſevere ſtrictures [h]; and the expenſes of the conteſt of which theſe compacts were a ſpecimen, were anticipated as enormous.

THE conduct of adminiſtration, in thus engaging the aſſiſtance of foreigners, was contraſted with that

[h] "I ſhall ſay little," lord Irnham obſerved, "to the feelings of thoſe princes who can ſell their ſubjects for ſuch purpoſes. We have read of the humorift Sancho's wiſh; that, if he were a prince, all his ſubjects ſhould be black-a-moors, as he could, by the ſale of them, eaſily turn them into ready money: but that wiſh, however it may appear ridiculous, and unbecoming a ſovereign, is much more innocent than a prince's availing himſelf of his vaſſals for the purpoſe of ſacrificing them in ſuch a deſtructive war, where he has the additional crime of making them deſtroy much better and nobler beings than themſelves."

CHAP. XXVIII. 1776.

of the Americans. "As a proof of their deſire for peace, they tell you they have not called for aid on the rivals of your grandeur: in reward of this forbearance, their petition is rejected unheard; parliament is told, the king has with ſatisfaction received friendly offers of foreign aſſiſtance: and anſwer, that they will cheerfully enable him to avail himſelf of the offer. An American congreſs holds in abhorrence a meaſure which a Britiſh parliament adopts with cheerfulneſs. Perhaps the example of this very act may render their adoption of the ſame fatal meaſure unavoidable. A fatal meaſure; becauſe, when foreign powers are once introduced in this diſpute, all poſſibility of reconciliation is precluded."

GERMANS were peculiarly improper: they would be employed in enſlaving and irritating a hundred and fifty thouſand of their own countrymen, many of whom fled from tyrants to ſeek the protection of Britain. Many German and Indian mercenaries would deſert, accept of lands, and though hired by us, league with the enemy.

THESE objections were not anſwered in detail; but the neceſſity of the meaſure was repeatedly urged; the probability of abridging the duration of hoſtilities, by the employment of trained veterans inſtead of raw recruits, was repreſented as ſufficient to counterbalance every diſadvantage, and as the expenſe was incurred for a limited period, the plan was really economical.

4th Mar. IN the debate on receiving the report of the committee, an addreſs was voted to the king, on the motion of colonel Barré, for cloathing the German troops in Britiſh pay with the manufactures of this country[1].

5th Mar. In the houſe of lords. IN the upper houſe, the duke of Richmond moved for an addreſs to countermand the march of the foreign

[1] The diviſions were, on the queſtion for referring the treaties to a committee, 242 to 88; for agreeing to the report, 120 to 48.

troops,

troops, and ſuſpend hoſtilities. He entered into a hiſtory of the treaties concluded with landgraves of Heſſe from 1702 to 1761, ſhewing that they had conſtantly advanced in their demands, never failing to eſtabliſh former extortions as precedents for ſucceeding exactions. He then computed that, under different heads included in the treaty, and ſubſequent contingencies, the charge for 17,300 men would not be leſs than a million and a half, an expenſe unprecedented in hiſtory. Toward the cloſe of the laſt war, an ingenious gentleman, Mr. Mauduit, calculated that every French ſcalp coſt the nation ten thouſand pounds. It would be right to conſider the price of an American ſcalp, when the hire of ſeventeen thouſand foreigners amounted to a million and a half.

CHAP. XXVIII. 1776.

His grace then ſtated the redundancy of officers in proportion to rank and file; the danger of keeping ſo many foreigners together under the command of their own generals; and depicted the expoſed and perilous ſituation of England, ſhould France or Spain, taking advantage of our weakneſs, attempt an invaſion.

These obſervations were ably enforced by the other peers in oppoſition. The opinion of Sir Walter Raleigh, in his Hiſtory of the World, was quoted againſt the employment of foreign mercenaries. "They are ſeditious, unfaithful, diſobedient, devourers and deſtroyers of all places and countries, whither they are drawn, as being held by no other bond than their own commodity. Yea, that which is moſt fearful among ſuch hirelings is, that they have often, and in time of greateſt extremity, not only refuſed to fight in defence of thoſe who have entertained them, but revolted to the contrary part, to the utter ruin of thoſe princes and ſtates who have truſted them."

Vehement cenſures were expreſſed againſt the power reſerved to a foreign prince of adminiſtering juſtice within the dominions of Great Britain, and the better to effect it, an executioner with ſervants, formed

part.

CHAP. XXVIII. 1776.

part of the Heſſian eſtabliſhment[k]; nor was any limitation or exception to this illegal power provided, even ſhould the civil government of America be reſtored. The ſtipulation to aſſiſt Heſſe was equally reprobated: if the landgraviate was attacked in conſequence of a decree of the imperial chamber, we muſt excuſe our breach of the treaty by our miniſter's ignorance of the imperial conſtitutions, or enter into a war, like that in America, not to maintain, but ſubvert the liberties of the Germanic body.

In reply, the treaty was ſtated to be drawn up in the uſual forms; the calculations did not prove the comparative dearneſs or cheapneſs of the terms: it was filled with pompous, high-ſounding phraſes of alliance, but they were mere phraſes, the real object of the contract being, not to create an alliance, but to hire a body of troops which the American rebellion rendered neceſſary.

On the latter part of the motion, for diſcontinuing hoſtilities, the old topics urged againſt the war were advanced with additional violence, aided by ſuch new arguments as recent events and more modern ſpeculations could ſupply. Lord Camden, in a bitter philippic, termed the war wanton, cruel, and diabolical. The duke of Grafton, boaſting his knowledge of finance, ſolemnly averred that there was not a ſingle tax, in the power of the moſt fruitful invention to deviſe or conceive, that would increaſe the receipt at the exchequer. Every impoſt that could be ſuggeſted would interfere with ſome other already exiſting: if the war ſhould continue, national credit would be ruined, and the kingdom undone. He propheſied, that when the people were bending under the preſſure of taxes, public credit departed, public bankruptcy inevitable, and univerſal ruin and deſpair ſpreading themſelves throughout the kingdom, then no longer able to endure ſuch calamities, and expecting no redreſs

[k] This was really the fact. See the treaty. Parliamentary Regiſter, vol. iii. p. 307.

where only it can be conſtitutionally ſought, they would ſeek relief in the means which God and nature had pointed out; no longer looking up to parliament, which had betrayed them, been deaf to their entreaties, and inattentive to their intereſts. He treated with contempt the ſuppoſed popularity of miniſterial proceedings: the numerous addreſſes, ſo much relied on, furniſhed no proof. At no time, ſince the eſtabliſhment of monarchy, did this teſt of public opinion manifeſt itſelf more than during the reign of James II. Addreſſes, congratulations, engagements to ſupport him, with life and fortune, poured in from every quarter; yet that infatuated monarch fatally diſcovered, in the hour of trial, that they were mere effects of miniſterial art and court adulation.

The population of America was pompouſly exhibited: lord Eſſingham conſidered it no exaggeration, to ſtate it conſiderably above four millions; their pecuniary and military reſources were deſcribed as truly formidable; the probability of Spaniſh aſſiſtance was urged, and an invaſion of Ireland by the French was treated as eaſy, and, from the diſpoſition of the natives, ſure of ſucceſs. The duke of Cumberland, in a ſhort ſpeech, declared his conſtant oppoſition to the oppreſſive proceedings againſt America, and conſidered the motion as full of reſpect and duty to the crown, and affording a baſis for a happy reconciliation with the colonies.

The earl of Coventry predicted the neceſſary termination of the connexion between Great Britain and America. "In the body politic," he ſaid, "as in the natural body, the ſeeds of diſſolution are contained in the firſt vital principles. Sooner or later the event muſt happen; and human wiſdom can only extend the duration of one, as the greateſt care and attention, employed on the beſt native conſtitution, may prolong the other. Look on the map of the globe, view Great Britain and North America, compare their extent; conſider

CHAP. XXVIII. 1776.

conſider the ſoil, rivers, climate, and increaſing population of the latter; nothing but the moſt obſtinate blindneſs and partiality can engender a ſerious opinion that ſuch a country will long continue under ſubjection to this. The queſtion is not, therefore, how we ſhall be able to realize a vain, deluſive ſcheme of dominion, but how we ſhall make it the intereſt of the Americans to continue faithful allies and warm friends. Surely that can never be effected by fleets and armies: inſtead of meditating conqueſt and exhauſting our own ſtrength in an ineffectual ſtruggle, we ſhould, wiſely adandoning wild ſchemes of coercion, avail ourſelves of the only ſubſtantial benefit we can ever expect, the profits of an extenſive commerce, and the ſtrong ſupport of a firm and friendly alliance and compact for mutual defence and aſſiſtance."

THE miniſtry were ſupported by the uſual arguments on the general ſubject of the American diſpute; the hiſtory of the coloniſts was traced to its origin, and their conſtant diſpoſition to factious reſiſtance clearly demonſtrated.

LORD TEMPLE, in a pathetic and judicious ſpeech, reprobated the intemperance of oppoſition. "The next eaſterly wind," he ſaid, "will carry to America every expreſſion uſed in this debate. I do not wiſh that the nakedneſs and weakneſs of my country ſhould ſtand confirmed by the authority and ſanction of teſtimonies given in this houſe. It is a time to act, not talk: much ſhould be done, little ſaid: the die of war is caſt, the ſword is drawn, and the ſcabbard thrown away." Paſt experience could not juſtify confidence in adminiſtration, but he would not, by declaring our utter inability to reduce the Americans, furniſh a golden bridge for an ignominious, ruinous, and diſgraceful peace. "I have heard," he ſaid, "the war called unjuſt. I know not who in this houſe has a right to call it ſo; not thoſe who voted for the declaratory act: thoſe only who denied our right of taxation,

tion, and how very few were they[l]. I cannot approve of recalling troops, and publiſhing the terms to which you will yield, till there is reaſonable aſſurance of their not being utterly rejected. Uncommon ſagacity and diſcretion are neceſſary to the attainment of what all muſt eagerly wiſh: when the happy and favourable moment for conciliation ſhall arrive, I hope miniſters will ſeize it: I wiſh them ſucceſs: at leaſt, at ſuch a criſis, I will not hang on the wheels of government, rendering that which already is but too difficult, the more impracticable[m]."

CHAP. XXVIII. 1776.

THE motion was negatived[n] by a great majority: the propoſed addreſs was entered on the journals, with the names of ten peers ſubſcribed proteſting againſt its rejection; but aſſigning no reaſon.

A NEW debate in the houſe of commons was occaſioned by a demand of 815,165*l.* for the extraordinaries of laſt year. Colonel Barré drew a ludicrous compariſon between the campaign of Bunker's Hill and Lexington, and the glorious exploits of the immortal Marlborough; the forcing of the lines thrown up by a mob in a ſummer's night, was oppoſed to the victories of Blenheim, Schellenburgh, the conqueſt of Gibraltar and Minorca, the march of lord Peterborough through the vaſt kingdom of Spain, and the impreſſions made by the duke of Ormond at Vigo and Port St. Mary. Myſtic river was compared to the Danube; and the operations of a war that pervaded half Europe, and in which a Britiſh army and foreigners in Britiſh pay, amounting to ſeventy thouſand men, rendered the power and glory of the Britiſh arms immortal, was balanced againſt thoſe carried on within a circuit of little more extent than the ſite of the Britiſh metropolis. The expenſe of the former did not exceed two millions, while this, including the expenſes of the fleet, coſt nearly three.

11th Mar. Debate on the army extraordinaries.

[l] Only five. [m] Lord Temple did not vote. [n] 100 to 92.

HOPES

CHAP. XXVIII. 1776.

HOPES of pacification were not yet renounced; or at leaſt, the members of oppoſition thought proper to fortify their cauſe, and embarraſs adminiſtration, by preſenting new projects.

24th Mar. The duke of Grafton's conciliatory propoſition.

THE duke of Grafton moved for an addreſs, beſeeching the king to iſſue a proclamation, declaring, that if the colonies, within a reaſonable time, before or after the arrival of the troops, ſhould preſent a petition to the commander in chief, or to the commiſſioners under the late act, ſetting forth what they conſidered their juſt rights and real grievances; the petition ſhould be tranſmitted to his majeſty; who would conſent to a ſuſpenſion of arms; and to aſſure them, that ſuch petition ſhould be received, conſidered, and anſwered.

CONTEMPLATING with horror, he ſaid, the conſequences of the bloody conflict, when, on whichever ſide victory might declare, all true friends of their country would have melancholy cauſe of grief; he appealed to the humanity of the houſe, imploring their interference to avert ſuch dire calamities, and prevent the effuſion of blood. Since the doctrine of unconditional ſubmiſſion had been eſpouſed, it would be merely equitable to let the Americans know the ultimatum of the mother-country, as they might then either agree, or riſk the conſequences of reſiſtance.

EXAMINING the powers of conciliation granted to the commiſſioners, and comparing them with the king's ſpeech, the duke profeſſed himſelf aſtoniſhed. "What does the clauſe ſay? Commiſſioners are to be appointed; and that is all. What are they to do? To receive ſubmiſſions. Does it ſtate what, or provide for, any conditions? Have the commiſſioners power to make conceſſions? Not one: the alternative is reſiſtance, or unconditional ſubmiſſion; eternal hoſtility, unleſs America ſhall inſtantly diſarm, ſurrender, and ſubmit."

DECLINING

CHAP. XXVIII. 1776.

DECLINING to enter again on the policy of the conflict, the duke thought adminiſtration ſhould poſſeſs full and unequivocal proofs of the diſpoſition of foreign nations, before they ruſhed into a civil war. Little reliance could be placed on general profeſſions; even confidential engagements, as experience had frequently ſhewn, ſerved merely to amuſe and deceive. France and Spain were collecting great naval and military forces; and in the laſt ſummer, two French gentlemen went to America, had a conference with Waſhington at his camp, and in conſequence of his reference, repaired to the congreſs.

IN debating this propoſition, great latitude of diſcuſſion was aſſumed; lord Mansfield obſerved, he never ſaw it carried to ſo great an extent; almoſt every matter, connected with the affairs of America, was amply inveſtigated.

THE propoſed meaſure was conſidered as the only one which remained to extricate the country from the inevitable deſtruction attendant on the romantic ſyſtem of conqueſt and coercion; to prevent the dire conflict between reſentment and deſpair. It propoſed no terms which might embarraſs adminiſtration, not even ſuch as muſt be granted in terminating the war; for very few were now ſo ſanguine as to expect that America, if ſubdued, could be held in peaceable ſubjection, under the exerciſe of taxation. The only plauſible objection was ſaid to be, that by receding, Great Britain would encourage America to advance more extravagant demands; but even ſhould America not be ſatisfied without abſolute independency, the real ground of the quarrel would be clearly and definitively underſtood; the ſentiments of all parties would be united; adminiſtration would acquire ſtability, and be enabled to unfold their plan of operations; the only ſubject of debate would then be, whether it were beſt to conquer or abandon.

To urge that the Americans ſhould not be treated with while armed, was, in fact, to refuſe all treaty: for

CHAP. XXVIII. 1776.

for a whole people, engaged in what appeared to them the beſt of cauſes, who had already committed themſelves ſo far as to incur the cenſures of rebellion, would not, while they retained means of defence, forego their only hope, and ſubmit unconditionally to thoſe whom they accuſed of injuring and oppreſſing them. The powers granted by the late act of parliament were inadequate to the commencement of a treaty; the man, who under ſuch authority, ſhould make a ſingle conceſſion, without receiving an unconditional ſubmiſſion or ſurrender, would hazard his neck. To what purpoſe then ſend out commiſſioners, when any treaty or intercourſe would be treaſon againſt the king, the ſtate, and the legiſlative rights of parliament? The people of America were declared rebels; and ſo deſcribed in the very act: no power could accommodate the ſubſiſting diſputes but that which announced their crime, unleſs they ſubmitted unconditionally; and this was the real object in view, though concealed under the ſlimſy clauſe for appointing commiſſioners: it was an attempt to enlarge the powers of the crown, under pretext of aſſerting the rights of parliament; but parliament was, at all events, to be diſgraced.

THE peers in adminiſtration avowed a reſolution not to ceaſe hoſtilities till America ſhould ſo far ſubmit, as to acknowledge the ſupreme legiſlative authority: ſuch was the ſubmiſſion they required; nor could the country with propriety concede, nor, conſiſtently with her honour, dignity, or moſt eſſential intereſts, diſarm or ſuſpend operations, till the colonies acceded to this principle, and by acts of duty and obedience entitled themſelves to the favour and protection of the parent-ſtate. When the repeal of the taxes of 1767 was in agitation, America having queſtioned the right, it was judged expedient to retain a part of the duties till that principle was fully recognized; conceſſions would now be made on the ground of expediency alone: for if the right of taxation were ſurrendered, every other

beneficial right of ſovereignty would vaniſh, and a total diſſolution of all connexion with America muſt enſue; it would never be entirely abandoned, becauſe eſſential to the very nature and exerciſe of civil government.

MINISTERS had been willing to ſuppoſe the diſorders local, and fomented only by the deluſive arts of a factious few; the people were therefore treated with kindneſs; every reaſonable indulgence granted, and even their prejudices accommodated. In return, they regarded favours as indications of national imbecility; abuſed lenity and liberality; and imputed humanity and forbearance to timid backwardneſs, and want of ability to aſſert the rights of the nation. The humanity, equity, and policy, profeſſed by the mover, would be beſt conſulted in ſending the armaments with the utmoſt expedition. Fear might exact a conduct, which duty or obedience failed to inſpire, and thus the effuſion of blood would be ſpared.

EVERY object propoſed by parliament ſince the commencement of diſputes would be fruſtrated by adopting the motion. England would become the jeſt of Europe, and the ridicule of thoſe very people for whom the benefit was intended. Without the hope of ſaving a ſhilling of the enormous expence attending the armaments, Great Britain would loſe a campaign, of which the enemy would avail themſelves, and the next ſpring the ſame courſe muſt be renewed. Nor would the force ſent out preclude accommodation; it might reſtore the colonies to their ſenſes, but would not prevent the reception of terms conſiſtent with the dignity of parliament, and rights of the parent ſtate.

THE powers granted to the commanders in chief, or commiſſioners, were declared to be clear, ſufficient, and perfectly conſiſtent with the king's prerogative.

AN attack from our habitual enemies was conſidered chimerical. Lord Weymouth officially aſſured the

CHAP. XXVIII. 1776.

houſe, that at no time within his knowledge or recollection, had Great Britain leſs reaſon to be jealous or ſuſpicious of thoſe courts. Miniſtry had received repeated aſſurances, accompanied by unequivocal proofs of their pacific intentions; and although they ſhould entertain ſentiments diametrically oppoſite, it was not in their power to involve this country in a war, or impede the operations againſt the colonies. The two French gentlemen who viſited Waſhington, and proceeded to Philadelphia, were travellers actuated by curioſity, or traders intent on mercantile ſpeculation.

LORD SANDWICH ably vindicated the ſtate of the navy from ſeveral objections, general and particular. Lord Hillſborough explained, and juſtified his letter to the American governors in 1769. Lord Shelburne, though he ſpoke and voted in oppoſition, diſclaimed the ſentiments of his aſſociates with reſpect to the king's prerogative of employing or diſpoſing of his military force*. Lord Dartmouth, after obſerving that as the duke of Grafton had framed his motion, and ſupported it by arguments which ſeemed to imply an alternative of war, for the purpoſe of conqueſt or

* Lord Shelburne's opinion on this occaſion deſerves particular notice: he ſaid, "The diſpoſition of the army in particular, I predict, will be the ſource of great doubt, and no ſmall contrariety of ſentiment both here and in America. I however put in my claim to be underſtood, as by no means giving up or being willing to relinquiſh the right inherent in the ſovereign, of ordering, directing, and ſtationing the army in whatever part of the empire he may think proper; and I confeſs it is with no ſmall aſtoniſhment and uneaſineſs, I have heard doctrines of a very different nature maintained within this houſe by ſeveral lords, whoſe more particular buſineſs it is to watch and take care that his majeſty's juſt prerogatives be maintained entire and undiminiſhed in all their parts. I particularly allude to the tranſactions in Ireland, and the language held by the parliament of that kingdom. When I hear it aſſerted that the military force of this empire is to be divided into ſeparate eſtabliſhments, not under the immediate controul of the ſovereign; when I hear it maintained that it is not competent for his majeſty to ſend foreigners, under the ſanction of a Britiſh parliament, into any part of the empire for its particular defence, or for the ſafety of the whole; when I hear that a certain local military eſtabliſhment is fixed, and, as it were, locked up in Ireland, ſo as not to be called forth, as the exigencies of affairs may require; I cannot forget my duty ſo much as to be ſilent, and not to expreſs my moſt hearty diſapprobation of doctrines ſo derogatory to the prerogative of the crown, and the controuling and ſuperintending power of the Britiſh parliament."

unconditional

unconditional ſubmiſſion, moved the previous queſtion in preference to a direct negative. The duke's motion was loſt[p], and no proteſt entered on the journals. CHAP. XXVIII. 1776.

MR. HARTLEY, afterward, preſented to the houſe of commons the form of an addreſs for empowering the commiſſioners to offer to the Americans ſome ſpecific line of rational obedience, inſtead of unconditional ſubmiſſion; to give aſſurance of redreſs of grievances, with full ſecurity of all conſtitutional and chartered rights, and to iſſue a proclamation promiſing that they ſhould be placed on the ſame footing with Ireland, in regard to pecuniary grants. 1ſt April. Mr. Hartley's propoſition.

SAWBRIDGE, who had ſucceeded Wilkes in the office of lord mayor, by the inſtruction of his conſtituents, moved, in conformity with Mr. Hartley's ſuggeſtion, to place the American coloniſts in the ſame ſituation as the people of Ireland. In the debate more heat than judgment was diſplayed: Mr. Temple Luttrell ſtyled the king's ſpeech a ſanguinary parole, the miniſtry an infernal adminiſtration, and declared he ſhould in future conſider acquieſcence and quietude unworthy of a Britiſh ſoul, and highly criminal. Thales of Miletus, one of the ſeven ſages of Greece, he ſaid, had obſerved, that of all wild beaſts the worſt was a tyrant; of tame ones, a flatterer. When he ſurveyed his majeſty's efficient miniſters, his domeſtic minions, he wiſhed, like another Orpheus, to play up a ſecond dance in the midſt of this menagerie, ſo as to ſend them ſcampering from the rich paſtures of a court, to their native tranſmontane faſtneſſes. This indecorous and pedantic ribaldry, produced only ſome ſmart animadverſions from Mr. Rigby, and the motion was negatived [q]. 10th May. Sawbridge's motion.

THE intelligence received from America in the courſe of the ſeſſion, gave riſe to ſeveral motions for inquiry and papers. The firſt effort was made by Mr. Fox, who, aſſuming for argument, that the principles Mr. Fox's motion for a committee of inquiry. 20th Feb.

[p] 41 to 11. [q] 115 to 33.

CHAP. XXVIII. 1776.

by which miniſters were actuated were perfectly juſt, contended that their miſmanagement and miſconduct were indiſputable. He reviewed hiſtorically the coercive plan, and placed in the ſtrongeſt lights, what he ſtyled folly in the cabinet, ignorance in office, inability in framing, and miſconduct in executing; with ſuch a ſhameful and ſervile acquieſcence in parliament, as never before diſgraced a nation. If miniſters had planned with wiſdom, and proportioned the force to the ſervice; if the great officers in efficient departments had acted ably and faithfully, the miſcarriages might be deſervedly imputed to the naval and military commanders. If, on the other hand, the latter acquitted themſelves according to their inſtructions, and carried on their operations in proportion to their force, it was no leſs plain, that the cauſe of all the diſgraces which the Britiſh arms had ſuffered, aroſe from ignorance in thoſe who planned, and incapacity and want of integrity in thoſe to whom the execution was in the firſt inſtance, entruſted. His motion was for a committee to enquire into the cauſes of the ill ſucceſs of his majeſty's arms, and the defection of the people of Quebec.

THE chief aim of oppoſition ſeems to have been a juſtification of the American invaſion of Canada; the previous queſtion was moved early in the debate. The principal objections to the inquiry were the unfitneſs of the time, the unfortunate ſituation of miniſters, who had preferred trying meaſures of lenity to abſolute force, and had thus afforded the Americans many advantages. A powerful fleet and army were now to be employed, and would doubtleſs cruſh the rebellious, or bring them back to a proper ſenſe of duty. The miniſter appealed to the candour and recollection of the houſe: nothing had been tranſacted in a corner, but openly, and under the ſanction of their repeated approbation. It was not candid, in an early period of the diſpute, to ſtate objections againſt the conduct of adminiſtration, which were only applicable to a ſtate

of hoſtility and open rebellion; the ground was changed, and the meaſures would neceſſarily vary. CHAP. XXVIII.

Mr. Fox's propoſition was rejected[r].

1776.

In this active and important ſeſſion, opportunities were found of urging other topics beſides thoſe which moſt intereſted the nation. Bills were introduced for the improvement of police and ſocial regulation, and the relief of inſolvent debtors. Some tranſactions at the late general election, which were diſcloſed in conſequence of the petition of Mr. Mortimer againſt the return for Shaftesbury, afforded grounds for new ſpeculations on the ſubject of repreſentation. Alderman Sawbridge made his annual motion reſpecting the duration of parliament, and Mr. Wilkes, beſide his accuſtomed attempt to reverſe the deciſion on the Middleſex election, brought forward a project of parliamentary reform. Miſcellaneous tranſactions. 6th Mar and 30th April. 21ſt Mar.

He explained, as his general outline, that every free agent in the kingdom ſhould be repreſented in the ſenate; that the metropolis, which contains a ninth part of the population, and the counties of Middleſex, York, and others, which abound with inhabitants, ſhould receive an increaſe in their repreſentation; that the mean and inſignificant boroughs, ſo emphatically ſtyled the "rotten part of the conſtitution," ſhould be lopped off, and the electors thrown into the counties; and the rich, populous trading towns, ſuch as Birmingham, Manchester, Sheffield, and Leeds, be permitted to ſend deputies to the great council of the nation. The long ſpeech which recommended this crude propoſal, was replete with ribaldry and invective, and the motion for leave to bring in a bill was negatived without a diviſion. Wilkes's motion for a reform of parliament.

The lords were occupied on the trial of the ducheſs of Kingſton for bigamy; ſhe was found guilty; but being exempted by the privilege of peerage from corporal puniſhment, was diſcharged on paying the fees. 15th April. Trial of the ducheſs of Kingſton.

[r] 240 to 104.

CHAP. XXVIII.

1776. 22d May. Motion for inſpection of the powers of commiſſioners. 23d May. Againſt prorogation.

ALTHOUGH the affairs of America had been abundantly diſcuſſed during the ſeſſion, an ineffectual attempt was made by general Conway, on the day before the prorogation, to carry a motion for ſubmitting to the inſpection of the houſe, the pacific authorities with which the commiſſioners were inveſted; and when the king was expected in the houſe of lords, Mr. Hartley proffered a motion, which was negatived, for an addreſs that parliament might not be prorogued, but continue ſitting by adjournments during the ſummer, that they might be ready to receive information, and provide at the earlieſt moment for every important event.

King's ſpeech.

IN terminating the ſeſſion, the king repreſented the country as engaged in a great national cauſe, the proſecution of which muſt inevitably be attended with many difficulties and much expence; but conſidering that the eſſential rights and intereſts of the whole empire were deeply concerned in the iſſue, and no ſafety or ſecurity could be found but in the conſtitutional ſubordination contended for, no price could be too high for the preſervation of ſuch objects. He ſtill entertained hopes that his rebellious ſubjects might be awakened to a ſenſe of their errors, and, by a voluntary return to duty, juſtify him in bringing about the favourite wiſh of his heart, the reſtoration of harmony, and re-eſtabliſhment of order and happineſs in every part of his dominions.

His majeſty alſo informed parliament, that no alteration had happened in the ſtate of foreign affairs ſince their meeting, and dwelt with pleaſure on the aſſurances he had received of the diſpoſitions of the European powers, which promiſed a continuance of the general tranquillity.

View of the conduct and politics of foreign powers.

To place implicit belief in theſe promiſes or appearances, at a moment when Great Britain was engaging in a formidable and extenſive civil war, would perhaps have been extremely imprudent. The aſſurances of foreign nations toward an envied and hated political rival

rival can never inſpire unlimited confidence, and they were rendered ſuſpicious by the poſitive boaſt of the Americans, that it was in their power to obtain foreign aſſiſtance. The triumphant concluſion of the laſt war, ſo mortifying to the pride of the houſe of Bourbon, rendered it probable, that the courts of France and Spain, rejoicing in the prevailing miſunderſtanding between Great Britain and her colonies, would by all indirect means foment and encourage them; and perhaps, ſhould hoſtilities be long protracted, take an active ſhare. There was, however, no immediate danger of a rupture. The impreſſion made during the laſt war, proving the inefficiency of the family compact, was not likely to be ſoon removed; nor did the proſpect of taking arms in favour of the American inſurgents tender any lure of advantage to induce the natural enemies of Great Britain willingly to engage in the conteſt. No indemnities could be offered, no hopes of aggrandizement were preſented; and notwithſtanding the flattering proſpect of humbling a haughty rival, the inclination to interfere between the mother-country and the colonies would be repreſſed by conſidering that reconciliation was not yet deſperate, and in ſuch an event the officious intermeddlers would be left unſupported to ſuſtain the combined reſentment of both. A ſudden junction of France or Spain with the Americans was not to be dreaded, as common prudence would dictate reſtraint, or at farthelt, limit them to mere covert or equivocal aſſiſtance, till the reſources and ſtrength of each party were fully tried, and the breach become irreparable.

CHAP. XXVIII. 1776.

France.

Nor did the peculiar ſtate of either country furniſh reaſons for expecting the commencement of hoſtilities. The laſt years of Louis XV. were marked with the weakneſs and violence of a poor, proud, and tyrannic government. The acceſſion of his grandſon Louis XVI.* was hailed as an event promiſing the

* 10th May 1774.

CHAP. XXVIII. 1776.

moſt beneficial conſequences to the nation. His amiable youth, integrity of character, and love of virtue, inſpired ſanguine hopes of a proſperous reign; his marriage with Marie Antoinette of Auſtria, daughter of the empreſs queen Maria Thereſa, and ſiſter to the emperor of Germany, was regarded as the means of extinguiſhing the inveterate animoſity which had ſo long rent France and Auſtria, and both king and queen were the objects of popular adoration. Louis removed an odious adminiſtration, re-inſtated the parliaments ſuppreſſed by the late king, exerted his efforts to relieve the diſtreſs occaſioned by a ſcarcity of grain, and ſhewed a merciful mind in the alterations of penal laws. The friendly diſpoſition of the French government toward Great Britain had been unequivocally demonſtrated, and the expectation that ſuccour would be afforded to the Americans was ſuppreſſed by an edict prohibiting all intercourſe with them [t]. Oppoſition, however, in the late ſeſſion of parliament, reaſoning as well from general ſyſtem as from information which they profeſſed to have received, often conſidered the interference of France as certain. The idea of foreign danger, it was obſerved, might be thought viſionary, but France and Spain were both arming, and could not, in fact, avail themſelves of a better opportunity. The French miniſtry was changed, and the queen, who was ſuppoſed to have great influence in that event, was ſaid to be biaſſed by Choiſeul, the lover of war, and the great enemy of Britain [u].

THE armaments which excited ſo much jealouſy were alleged, on the other hand, to be for the purpoſe of defence, and in the view of aſſiſting Spain againſt the Algerines, or againſt Portugal, according to the terms of the family compact. The influence of the queen was not extenſive, being counteracted by that of the king's aunts, who were decidedly inimical to

[t] In April 1775.

[u] See general Conway's ſpeech in the houſe of commons, 22d May 1776.

Choiſeul;

Choiſeul; and the firſt appointment of miniſters, both domeſtic and foreign, gave ſurprize to the court of Vienna, who ſaw almoſt every individual whom the queen was ſuppoſed to favour, and whoſe nomination would have been agreeable to her mother, excluded from the cabinet. CHAP. XXVIII. 1776.

SPAIN, poſſeſſing immenſe and valuable ſettlements in South America, could not, on any principle of ſound policy, be ſuppoſed capable of fomenting and abetting the rebellion of adjacent colonies; and the Britiſh miniſtry, confidently relying on the effects of force in ſpeedily reducing the inſurgents to ſubmiſſion, ſurveyed without alarm thoſe circumſtances on which oppoſition founded the moſt ominous forebodings. Spain.

OTHER powers, whoſe immediate interference in the affairs of Great Britain was not expected, regarded the American conteſt with a degree of intereſt ſuited to the magnitude and novelty of the criſis, and with ſuch ſentiments as their attachment to, or hatred of, the Britiſh government ſuggeſted. The people in moſt countries appeared to participate in ſentiments with the Americans; but the ſovereigns in general diſplayed no diſpoſition to ſanction, by their approbation, a mode of conduct ſo ruinous to the intereſts of every government. The emperor, Joſeph II. ſhewed dignified magnanimity in giving at once a decided reproof to all who expected that he ſhould favour, even by tacit compliances, the cauſe of inſurrection. The ports of the Low Countries were ſhut againſt the veſſels of America, and all intercourſe with them ſtrictly prohibited. At an audience obtained by the Britiſh embaſſador, the emperor expreſſed, in the ſtrongeſt manner, his opinion of the juſtice of the Engliſh proceedings, his high ſenſe of the perſonal worth of the king, and a conviction that ſucceſs in reducing the Americans was of the utmoſt importance to all the regular governments in Europe. "The cauſe in which the king is engaged," he ſaid, "is, in fact, the cauſe of all ſovereigns, who have a joint intereſt in the maintenance of a juſt ſubordination Auſtria.

CHAP. XXVIII. 1776.

ordination and obedience to law, in all the monarchies which ſurround them[x]. He ſaw with pleaſure the vigorous exertions of national ſtrength which the king was employing, to reduce his rebellious ſubjects, and ſincerely wiſhed ſucceſs to thoſe meaſures." The empreſs queen expreſſed, with no leſs warmth, her determination to maintain the good underſtanding between the two crowns, and to prohibit all tranſactions by which her ſubjects ſhould ſeem to afford aſſiſtance to the colonies, or give umbrage to the king. She had a high eſteem, ſhe ſaid, for the king's principles of government, a ſincere veneration for his political character, and hearty deſire to ſee obedience and tranquillity reſtored to every quarter of his dominions. Her friendſhip for the king, and hereditary affection for the royal family, had never abated, though a difference in political opinions, the ſource of which ſhe could not help attributing to the king of Pruſſia, had, for a conſiderable time, diminiſhed the opportunities of an interchange of good offices[y].

Pruſſia.

THE king of Pruſſia, retaining his original reſentment for the loſs of his ſubſidy, unequivocally diſapproved the conduct of adminiſtration, though he did not affect to juſtify the Americans, or wiſh ultimate failure to the mother-country. "It was a difficult thing," he ſaid, in a converſation with ſome Engliſh gentlemen, "to govern men by force at ſuch a diſtance; if the Americans ſhould be beat, which appeared a little problematical, ſtill it would be next to impoſſible to continue to draw from them a revenue by taxation: if you intend conciliation," he added, "ſome of your meaſures are too rough; and, if ſubjection, too gentle. In ſhort, I do not underſtand theſe matters; I have no colonies. I hope you will extricate yourſelves advantageouſly, but I own the af-

[x] Conformable to this ſentiment is the expreſſion related by Dr. Moore, "Je ſuis par Métier royaliſte." View of Society and Manners in France, &c. v. ii. letter 96.

[y] From private information.

fair ſeems rather perplexing[z]." Frederick could not by active interference influence the diſpute, and the habitual jealouſy between his court, and that of Vienna, operated as a conſtant reſtraint; but he was engaged in ſecret intrigues in every quarter, to counteract the intereſts, and embarraſs the government of Great Britain[a].

IN

[z] Moore's View, &c. v. ii. letter 75.

[a] In the works of the king of Pruſſia, the affairs of England are treated in a manner which diſplays at once the ignorance, malice, and preſumption of the writer. He was from the beginning of the preſent reign entirely unacquainted with the politics of Great Britain, and viewed the conduct of its ſovereign and miniſters only through the medium of reſentment and prejudice. It is fit the *whole* extract containing his opinions on the origin and conduct of the American war ſhould be given, that the reader may judge how little reliance can be placed on the information of this royal philoſopher, in matters not immediately ſubject to his own inſpection. After diſcuſſing the ſtate of France in 1775, he ſays, that from a conſtant ſpirit of rivalſhip with England, ſhe ſaw with pleaſure the riſing troubles in the American colonies, encouraged, underhand, the ſpirit of revolt, and animated the Americans to maintain their rights againſt the deſpotiſm which George III. was endeavouring to eſtabliſh, by exhibiting a proſpect of ſuccours to be expected from the friendſhip of the moſt Chriſtian king. "The court of London," he proceeds, "exhibits a picture totally different from that we have been ſketching. Bute, the Scotchman, governs the king and realm; like thoſe evil working ſpirits who are always talked of, but never ſeen, he ſhrouds himſelf, as well as his operations, in impenetrable obſcurity; his emiſſaries, his creatures, are the ſprings with which he moves, at his pleaſure, the political machine. His political ſyſtem is that of the ancient tories, who maintain that it is eſſential to the welfare of England that the king ſhould be inveſted with deſpotic authority, and that, *far from contracting alliances with the continental powers, Great Britain ſhould limit herſelf ſolely to the extenſion of her commercial advantages. Paris, in his contemplation, is what Carthage was to Cato the Cenſor. Bute, if it were in his power, and he could collect them, would deſtroy in one day all the ſhips of France.* Imperious and harſh in his government, little ſolicitous in the choice of means, his awkwardneſs in the conduct of affairs is ſuperior even to his obſtinacy. This miniſter, to accompliſh his grand views, began by introducing corruption in the houſe of commons. A million ſterling, which the nation annually pays the king for the maintenance of his civil liſt, was hardly ſufficient to gratify the venality of the members of parliament. This ſum, intended for the expences of the royal family, the court, and embaſſies, was annually employed in ſtripping the nation of its energy; *George III. had nothing left for his ſubſiſtence, and the ſupport of the royal dignity at London, but five hundred thouſand crowns, which he drew from his electorate of Hanover.* The Engliſh nation, degraded by its ſovereign himſelf, appeared to have no will but his; but as if all theſe provocations were not ſufficient, lord Bute attempted a more bold and deciſive blow, for the eſtabliſhment of the deſpotiſm he had in view; he induced the king to tax, by arbitrary impoſts, the American colonies, as well for the augmentation of his revenues, as to eſtabliſh a precedent which in a courſe of time might be imitated in Great Britain; but we ſhall ſee that the conſequences of this act of deſpotiſm did not anſwer his expectations. The Americans, whom England had not condeſcended to corrupt, openly oppoſed this taxation, ſo repugnant to their rights, their cuſtoms, and above all, to the liberties they had enjoyed ſince their firſt eſtabliſhment. A prudent government would have haſtened to appeaſe theſe riſing troubles, but the Engliſh miniſtry were guided by other principles; they ſtirred up new commotions with the colonies,

on

CHAP. XXVIII.

1776. State of the press in England.

In England however, the Americans, had their moſt powerful and active allies: the preſs teemed with publications favourable to their cauſe; the diſſenters generally declared in their favour; and all the zeal and artifice of faction were employed in augmenting the number of their adherents.

Dr. Price's publication.

The moſt conſpicuous publication in their intereſt was from the pen of Dr. Richard Price, an eminent diſſenting miniſter, called, "Obſervations on the Nature of Civil Liberty, the Principles of Government, and the Juſtice and Policy of the War with America, and a State of the National Debt; an Eſtimate of the Money drawn from the Public by Taxes, and an Account of the National Income and Expenditure ſince the laſt War." Proceeding to the full extent, or rather exceeding the limits marked out in this ample title, the author ſtudiouſly endeavoured to depreciate, every part of the Engliſh government, and extol the ſpirit which engendered the American revolt. His means were ſimple and uniformly applied. In

---

on account of the merchants who monopolized certain Eaſt Indian merchandizes, which they wanted to compel the Americans to purchaſe. The harſhneſs and vio-
1775. lence of theſe proceedings, completely rouſed the Americans; they held a congreſs at Philadelphia, where, renouncing the yoke of England, now become inſupportable, they declared themſelves free and independent. From this time we ſee Great Britain engaged in a war with her colonies; but if lord Bute ſhewed himſelf inexpert in the conduct of this affair, he appeared ſtill more ſo when the war began. He ſimply (*bonnement*) imagined that ſeven thouſand regular troops were ſufficient for the ſubjugation of America, and as he was not quite ſo good a calculator as Newton, he was always deceived. General Waſhington, whom at London they ſtiled the leader of the rebels, obtained, at the beginning of hoſtilities, ſome advantages over the royaliſts aſſembled near Boſton. The king, who expected to hear of victories, was ſurprized at the news of this check, and the government was obliged to change its meaſures." See Œuvres complettes de Frederick II. Roi de Pruſſe, vol. iv. Tit. Memoires depuis la Paix de Hubertsbourg 1763, juſqu'à la fin du Partage de la Pologne en 1775, Ch. iv. The extract, given without ſuppreſſion, addition, or falſification, will ſufficiently ſhew how little the author underſtood the hiſtory, government, and politics of England. It muſt excite a ſmile to imagine the ſurprize of an Engliſh reader who takes theſe things for true, at finding the ſyſtem of *lord Bute* and the *tories* ſo conſiſtent with his own prejudices, and at hearing that the ſplendour of the Britiſh court was ſupported by a revenue derived from the Electorate of Hanover. It would be a waſte of criticiſm to expoſe the hiſtorical and chronological errors in this extract, or to expatiate on the impudence or malevolence by which it is dictated.

ſpeaking

CHAP. XXVIII. 1776.

ſpeaking of England, he never aſſumed a grand or expanſive view of the conſtitution or government; but guided the attention of the reader to ſome iſolated part, ſome ſolitary propoſition, which being taken ſeparately from its intimate connexions and relations, afforded ſubject of exaggerated cenſure, or unqualified miſrepreſentation. In ſpeaking of America, on the contrary, he rarely deſcended to particulars, but took an extenſive range among abſtract principles, and treated government, liberty, and colonization, not as practical topics, but as ſubjects of theoritical examination. His work is written with all the art of profound premeditation, and all the heat of unextinguiſhable animoſity againſt the government of Great Britain. Many publications appeared on the other ſide from the moſt able pens [b]; but Dr. Price's pamphlet, though now deſervedly neglected, was extolled by the clamour of party, as it afforded topics, till then not much relied on, for juſtifying the Americans, not only in their preſent proceedings, but as to their further intentions, whether directed to independence or foreign alliance. The author received the utmoſt homage which party could beſtow; to him was attributed the praiſe of ſhewing that the national credit was precarious, and exciting diſtruſt by the manner in which he treated of the loans made from the bank to government. His eſſay was circulated with profuſion and induſtry, and being tranſlated into the Dutch language, was ſuppoſed to influence the Hollanders in withholding their property from the Britiſh funds [c]. It was often triumphantly quoted in parliament: the duke of Cumberland complimented the author in perſon [d], and the common council in London voted him thanks,

Its effects.

[b] Among the moſt conſpicuous of theſe may be enumerated, Taxation no Tyranny, by Dr. Johnſon: the Adminiſtration of the Britiſh Colonies, by Thomas or Pownall; ſeveral excellent tracts by Dr. Tucker: and the Rights of Great Britain aſſerted, by an anonymous writer.

[c] See Hiſtory of lord North's adminiſtration, p. 222.

[d] The duke of Cumberland, ſeeing Dr. Price in an anti-chamber in the houſe of lords, expreſſed his approbation of the treatiſe which he had juſt then publiſhed, adding,

CHAP. XXVIII.

thanks, and preſented the freedom of the city in a golden box.

1776. 14th Mar. Re-eſtabliſhment of tranquillity in the city.

YET theſe effects were not of conſiderable duration; applauſe often repeated grew languid, and ceaſed to gratify, even the zeal of party; and whatever temporary alarm might have been excited, ſoon ſubſided in the calm of experienced ſecurity. The city of London was daily recovering from the diſeaſe of factiouſneſs, which had ſo long raged without controul; and all the efforts of two ſucceſſive lord mayors, Wilkes and Sawbridge, were inſufficient to keep up, to the deſired height, the frenzy of party.

24th June. Mr. Wilkes, twice foiled in an attempt to be elected chamberlain, vented his ſpleen in a ſevere invective againſt the whole corporation. "By the late tranſactions," he ſaid, "the moment ſeems at length arrived, ſo ardently wiſhed by every arbitrary adminiſtration, when a majority of the livery appear to have ſold and ſurrendered the capital to the miniſtry. By the creation of ſo many unneceſſary lucrative offices, the diviſion and ſub-diviſion of contracts, the threats of the opulent and inſolent to neceſſitous and dependent tradeſmen, and all the captious promiſes of power, the greater number of the livery ſeem at preſent either lulled into ſupineneſs and a fatal ſecurity, or enrolled among the mercenaries of corruption and deſpotiſm: no longer worthy the name of freemen, they are ſunk into tame, mean vaſſals, ignominiouſly courting, and bowing their necks to, the miniſterial yoke. Such, it gives me pain to think, is the faithful, but melancholy picture of this once free and independent city. All public ſpirit in the capital is viſibly decaying, and that ſtern, manly virtue of our fathers, which drove from this land of

---

adding, that he had ſat up ſo late the night before to read it, that it had almoſt blinded him. Mr. Dunning obſerved, he was ſorry his royal highneſs ſhould be ſo affected by a work which had opened the eyes of the greateſt part of the nation.

freedom

freedom the laſt Stuart tyrant, is held in contempt by their abandoned offspring. A diſſolution of the empire, ruin, and ſlavery, are, I fear, advancing with giant ſtrides upon us. We are ripe for deſtruction. If we are ſaved, it will be almoſt ſolely by the courage and noble ſpirit of our American brethren, whom neither the luxuries of a court, nor the ſordid luſt of avarice in a rapacious and venal metropolis, have hitherto corrupted."

CHAP. XXVIII. 1776.

## CHAPTER THE TWENTY-NINTH:

### 1775—1776—1777.

*Tranſactions in America.—Efforts of general Howe.—State of the American army.—Inactivity of the Britiſh army.—Waſhington takes poſſeſſion of Dorcheſter Heights.—Evacuation of Boſton.—Severities againſt loyaliſts.—Campaign in Canada.—Exertions of congreſs and of Arnold.—Carleton makes a ſally.—Blockade of Quebec raiſed.—Action at Trois Rivieres.—The Americans evacuate Canada.—Great exertions on both ſides to prepare naval force.—The American fleet defeated and deſtroyed.—Proceedings in North Carolina.—Loyaliſts defeated.—Expedition to Brunſwick.—Unſucceſsful attempt on Sullivan's Iſland.—Proceedings in congreſs.—Efforts to attain independence.—Publications—Common Senſe.—Congreſs recommend to ſeveral colonies to new-model their governments.—Proceedings in Maryland.—Philadelphia.—Virginia.—Declaration of rights.—Diſcuſſion of independency—it is carried.—Declaration of independency.—Its reception by the people and the army.—Britiſh plan of campaign.—Arrival of lord Howe.—Attempt to negotiate with Waſhington.—Reſiſted on a plea of form.—Further efforts.—Letter to Franklin.—Battle of Brooklyn.—Retreat of the Americans to New York.—Renewed negotiation.—Committee of congreſs confer with the Britiſh commiſſioners.—Treaty terminated.—Declaration of the commiſſioners.—Preparations for the attack of New York.—Capture of the city—which is ſet on fire by American incendiaries.—Battle of White Plains.—Capture of Fort Waſhington.—Succeſsful invaſion of New Jerſey.—Diſpoſition of the Britiſh troops in winter-quarters.—Expedition to Rhode Iſland.—Capture of general Lee.—Exertions of congreſs.—Articles of confederation.—Other meaſures.—They retire to Baltimore.—Miſerable ſtate of the army.—The Heſſians ſtationed at Trenton ſurprized by Waſhington.—Lord Cornwallis*

*Wallis returns to the British army.—Washington surprizes Princeton—and recovers the Jerseys.—General observations on the campaign.*

CHAP. XXIX. 1775.

Efforts of general Howe.

GENERAL HOWE, on being invested with the chief command at Boston, exerted himself in alleviating the distresses felt by his troops from the want of necessaries; but his efforts were not attended with success: the vessels dispatched to the West Indies returned with only scanty supplies; the horrors of an American winter were augmented by a want of fuel; many of the vessels sent from England with coals were lost or captured, and the timber of buildings was used as a substitute.

State of the American army.

THE Americans, however, were in still greater distress: unused to subordination, divided in opinions respecting the ultimate views of their leaders, loathing inactivity, and regretting the loss of domestic enjoyment, they looked forward with impatience to the period when the termination of their agreement to serve should enable them to revisit their own roofs. Large companies solicited leave of absence, which the commanders dared not refuse, lest a total disregard of subordination should ensue. Dr. Franklin and two other members, deputed by congress to the camp at Cambridge, as a committee to concert with Washington the means of organizing a new force for the ensuing year, found unexpected and discouraging difficulties. The experience of a year's service had cooled the ardour of enterprize, and abated the confident hope of speedy success; the recruiting was slowly effected, and the Connecticut troops, whose term of service first expired, quitted the army [a]. The accession of recruits was prevented by fear of the small-pox: the whole force under Washington did not, at the close of the year, amount to ten thousand, but was shortly

Dec. 1775.

[a] On their way home several were arrested by the country people, and compelled to return.

CHAP. XXIX.

afterward augmented to about ſeventeen thouſand, by drafts from the militia [b].

1776. 17th and 18th Jan. 1776. Their wants.

ANOTHER cauſe of alarm and diſtreſs to the beſiegers of Boſton was derived from the deficiency of military ſtores, which no art could palliate, and no exertion wholly relieve. The coaſt of Africa was deprived of its ſtock of powder by a judiciouſly concerted purchaſe, and a conſiderable quantity was ſeized on board a veſſel near the bar of St. Auguſtine. One Hopkins alſo, by a bold and ſucceſsful expedition to Providence, one of the Bahama iſlands, procured ſome valuable artillery; but all theſe acquiſitions were only partial and temporary reſources: extenſive ſupplies could not be obtained, the manufacture of gunpowder directed by congreſs proceeded with diſcouraging tardineſs, and, even when individuals were obliged to give up their arms for the public ſervice, two thouſand of the infantry ſtill remained unſupplied.

Inactivity of the Britiſh army.

WHILE ſuch was the relative ſituation of the oppoſed armies, it afforded much reaſonable ground of ſurprize, that general Howe ſhould remain pent up in Boſton, and make no military effort to relieve the miſeries of his own troops, and cruſh the hopes of the Americans. He was not ignorant of general Waſhington's alarming diſtreſſes; and this want of enterprize enabled his opponent to boaſt of his own exertions and ſituation, as unparalleled in the annals of hiſtory; he had maintained his poſt for ſix months without powder; and at the ſame time had diſbanded one army, and recruited another, within muſket ſhot of more than twenty Britiſh regiments [c].

Prudence of Waſhington.

IN this interval, the American general often felt the approaches of deſpondency, and intimated apprehenſions in reſpect to the neceſſity of an accommodation with the mother-country [d]; yet he was never deſerted

[b] Ramſay, v. i. p. 258. Waſhington's Letters, v. i.
[c] Waſhington's Letters, v. i. p. 71.
[d] Waſhington's Letters, v. i. p. 84—91.

by

CHAP. XXIX. 1776.

by his courage, or by that more rare quality of perſeverance, which preſſes forward with manly firmneſs toward its ultimate object, nor deterred by dangers, or goaded into injudicious exertion by peeviſh clamours or petulant reproaches. Many of theſe aſſaults general Waſhington endured with undiſturbed ſerenity; it was alleged that vigorous efforts would ſucceed in expelling the Engliſh from Boſton, and he was accuſed of delaying effectual exertion for the ſake of prolonging the period of his command. When his army was ſufficiently reinforced to juſtify the riſk of a deciſive meaſure, a council of war reſolved, as the moſt effectual means of expelling the Engliſh before the arrival of ſuccours, to obtain poſſeſſion of Dorcheſter Heights[c].

Feb. He takes poſſeſſion of Dorcheſter Heights.

General Clinton had frequently remonſtrated with general Gage, and his ſucceſſor, on the importance of this poſt; but as Boſton was to be evacuated, and a more central poſition aſſumed, no attention was paid to this object. General Waſhington, for a feint, commenced a bombardment of the town on other points, which, from the unſkilfulneſs of his engineers, and the deficiency of powder, excited more deriſion than alarm; but the garriſon was ſuddenly ſurprized by obſerving the heights of Dorcheſter fortified with lines of defence, of which, on the preceding evening, not the ſmalleſt indications had appeared. This maſterly manœuvre was performed in one night, by a body of two thouſand men under general Thomas, who carried on their operations with equal zeal and diligence, and with ſuch profound ſilence, as to prevent ſuſpicion, and enſure ſucceſs.

5th March.

4th March.

A violent ſtorm and flood prevented an intended attack on the heights, the aſcent to which was almoſt perpendicular, and the enemy, as a means of defence, had chained together hogſheads filled with ſtones, intending to roll them down on the heads of the aſſailants: theſe complicated difficulties, and a remonſtrance

[c] Ramſay, v. i. p. 261.

CHAP. XXXX.

1776.

from the admiral that the ships could no longer remain secure in the road while the enemy retained the heights, occasioned the evacuation of Boston. Nearly a fortnight was spent in preparing for the embarkation, during which the enemy offered no molestation. The British army, together with a great number of refugees, speedily arrived at Halifax.

Evacuation of Boston.

17th Mar.

Severities of Washington.

On taking possession of the town, general Washington confiscated the estates and effects of emigrants, tried the royalists as public enemies and betrayers of their country, and sequestered their effects for the public service. His entry exhibited all the pomp of victory. The provincial legislature complimented him with an affectionate address; and congress accompanied their vote of thanks with an honorary medal.

Observation.

Under all circumstances, the retreat from the capital of Massachuset's Bay was dishonourable and disadvantageous to the British arms. Although it had been resolved to abandon that position, yet the disgrace of being compelled to retire was unnecessarily incurred. The credit of enterprize, and fame of atchievement accruing to the enemy, were of the highest importance to a people yet in the rudiments of the military profession, doubtful of their own strength, rather daring than confident, qualified only for sudden exertion, unimproved by practice, and unrestrained by discipline. But acquisitions more solid than these speculative advantages, arose from the precipitate evacuation of Boston: the barracks were uninjured, the cannon were only in part rendered unfit for immediate service, immense stores were left untouched[f], and not a dwelling was damaged, except those which had been consumed for fuel. Thus was Boston, the cradle of revolution, and the primary

[f] The ordnance and stores thus abandoned consisted in 250 pieces of cannon, half of which were serviceable, 4 thirteen and a half inch mortars, 2,500 hundreds of sea coal, 25,000 bushels of barley, 600 bushels of oats, 100 jars of oil, and 150 horses. This large supply was of the utmost importance to the enemy, who were labouring under the greatest want both of stores and provisions.

object

CHAP. XXIX. 1776.

object of parliamentary vengeance, left to the poſſeſſion of the enemy, rather improved than injured by the reſidence of a royal army, and thus the Americans received the means as well as the earneſt of further ſucceſs.

FROM the circumſtances attending this event, it has been aſſerted, that a compact was entered into between the oppoſing generals, granting a ſuſpenſion of hoſtilities during the embarkation, as the price of forbearing to injure the town. The exiſtence of ſuch a convention, always denied by the Britiſh miniſtry is amply diſproved by the teſtimony of general Waſhington himſelf, who aſſigns clear and ſatisfactory reaſons for not attacking the royal army [g]. Many veſſels which arrived after the evacuation, fell into the hands of the enemy; thoſe laden with ſtores were valuable acquiſitions; ſhips were ſtationed off Boſton to prevent ſuch accidents, but from the peculiar ſituation of the harbour, the captains were not always able to effect their orders.

Campaign in Canada.

SINCE the death of general Montgomery, the intereſts of the Americans had ſuffered a rapid declenſion in Canada. The intelligence of his ſucceſs inſpired congreſs with unbounded hopes; and even after his fall, ſome meaſures were propoſed, but negligently purſued, for giving effect to his meaſures. Specie was voted, and a ſmall ſum obtained; reinforcements were decreed, but the levies were ſparingly filled; an addreſs was framed by congreſs; printers and preachers were diſpatched to propagate the American ſyſtem in Canada; and a deputation, headed by Dr. Franklin, was appointed for the purpoſe of luring the people into an aſſociation, by a promiſed participation in all the advantages of the confederacy, the freedom of religion, and peaceable poſſeſſion of eccleſiaſtical property [h].

Exertions of congreſs.

19th Jan.

[g] Waſhington's Letters, v. i. p. 106, 107, 108.

[h] Ramſay, v. i. p. 265, et ſeq.

CHAP. XXIX.

1776.

Exertions of Arnold. 11th April.

BEFORE the breaking up of the froſt, colonel Arnold was joined by ſix companies of a new raiſed regiment under Arthur St. Clair; but although his ſpirit and activity had enabled him, with the ſmall reſidue of the invading army, to keep Sir Guy Carleton in continual alarm, his reſources were inadequate to the extent of his enterprize; and the miſconduct and brutality both of officers and ſoldiers, completed the alienation of the natives. The ſmall-pox ſpread among the troops with ſuch virul[illegible]heir [illegible]hat when their nominal muſter amounted to [illegible]ited [illegible] thouſand, not above nine hundred were fit [illegible]fla[illegible]r duty. Colonel Arnold, however, erected batteries on the ſhores of St. Lawrence to fire the ſhipping, made an irruption into the ſuburbs, and burned a few houſes; but was repulſed, and the veſſels remained uninjured.

Carleton makes a ſally. 6th May.

REINFORCEMENTS being daily expected from England, and the impracticability of making an effectual impreſſion on the city being ſufficiently proved, the American generals became anxious to retire. They were taking meaſures for this purpoſe, when the Iſis man of war and two frigates, the firſt which arrived from England, with great labour, conduct, and reſolution, forced their way through the ice, not yet deemed paſſable, and cut off all communication between parties on different ſides of the river. General Carleton, availing himſelf of their conſternation, made a ſally. The Americans were already retreating, the confuſion ſoon became general, and they fled unreſiſting on all ſides, leaving their artillery, ſtores, ſcaling ladders, and every other incumbrance, and ſolicitous only for perſonal ſafety. As the king's troops could not purſue, the ſlaughter was inconſiderable; a few ſick fell into the hands of the victors, and ſome ſmall ſhips of war, having worked their way up the river, took and recaptured ſeveral veſſels. The Americans, in a few days, were collected at Sorel.

THUS was the ſiege or blockade of Quebec raiſed, after a continuance of five months. To the excellent military

military conduct of Sir Guy Carleton, great applauſe is due for the preſervation and deliverance of the place: his humanity and prudence are equally admirable. Learning that ſeveral fugitives were concealed in the woods, he iſſued a proclamation, aſſuring them and his priſoners of relief, protection, and ſafe conduct to their places of reſidence. This conduct was not imitated by the Americans, whoſe treatment of the Britiſh captives was harſh, and wantonly cruel[i].

CHAP. XXIX.

1776. Blockade of Quebec raiſed. Carleton's humanity.

A SMALL party of Britiſh and Indians, under the command of captain Foſter, proceeded from a poſt called Oſwagatchie, and captured the Cedars, ſituate about thirty miles from Montreal: in ſeveral ſubſequent ſkirmiſhes, many priſoners were made, whom the Indians were with difficulty prevented from butchering according to their cuſtom; but when a cartel was arranged between captain Foſter and colonel Arnold, congreſs refuſed to ratify it on a falſe and unfounded pretence that their priſoners had been treated with inhumanity[k].

May.

REINFORCEMENTS from Ireland and England, a detachment from general Howe, and another of foreign troops, having augmented the army in Canada to thirteen thouſand men, Sir Guy Carleton purſued the rout of the Americans to Trois Rivieres, a village in the midway between Montreal and Quebec. The enemy in their retreat had alſo met ſome ſuccours ſent by congreſs, and attempted at this place to ſurprize the royal forces. This project was at once raſh and deſperate, but the ſhame of failure in the invaſion of Canada, the importance of retaining it, and the neceſſity of employing the troops in ſome decided action, influenced general Thomſon, who was now commander in chief, to eſſay the perilous enterprize. The divided ſtate of the royal forces alone preſented a proſpect of ſucceſs. A conſiderable body was ſtationed

May. Action at Trois Rivieres.

[i] Stedman, v. i. 160. Waſhington's Letters, v. i. p. 116.
[k] Stedman, v. i. p. 175. Waſhington's Letters, v. i. p. 284, 285.

CHAP. XXIX. 1776.

at Trois Rivieres, under brigadier general Frazer; another portion commanded by brigadier general Nesbitt, lay near them on board the transports, while a far greater number, under Carleton, Burgoyne, Philips, and the German general Reidesel, were scattered on the land and water in the way from Quebec. General Thomson proceeded with the utmost caution, coasting in the night, and concealing his forces by day. On landing, however, his troops were discovered by a peasant; and general Frazer was enabled to make preparations for repelling the attack. The Americans, notwithstanding their hopes of success by surprize were frustrated, behaved with great spirit, and secured a retreat, though not without considerable loss. Thomson himself, with about two hundred of his men, were taken prisoners. Colonel St. Clair, who succeeded in the command, with equal judgment and intrepidity extricated the army from their perilous situation, and in a few days, after experiencing many hardships, they joined the main body at Sorel. General Carleton pursued, but not with sufficient alertness; for when his first division arrived at Sorel, the enemy had already evacuated it two hours.

8th June.

Americans evacuate Canada.

GENERAL SULLIVAN, who conducted the retreat from Canada, led his troops through a difficult and dangerous tract of country, and, in the face of a superior force, effected their safety, preserved their cannon, baggage, and stores, and brought off a numerous body of sick. The Canadians who had been seduced into the interest of the invaders, pursued their retreat with reproaches and expostulations, but their complaints met with little attention.

1st July. Great exertions of both armies to prepare a fleet.

THE American army crossed lake Champlain, and reached Crown Point; General Gates had been appointed to command them, but on learning their ill success, he remained within the province of New York. The Americans having effected their retreat, employed themselves under Colonel Arnold, with the utmost diligence, in equipping sixteen vessels, carrying

22d Aug.

ninety

CHAP. XXIX. 1776.

ninety guns, for the purpoſe of commanding lake Champlain. By direction of the general they were conſtructed to row or ſail, like thoſe uſed in the Mediterranean, and the whole armament was under his command.

SIR GUY CARLETON was equally occupied in the creation of a fleet, and the preparation of batteaux to carry his army acroſs the lakes. Aſſiſted by the able and indefatigable exertions of general Philips, who commanded the artillery, commodore Douglas, captain Pringle, lieutenants Schanks, Dacres, Pellew, Longcroft, and Fawkener, of the navy, he collected a flotilla of five armed veſſels, and twenty-two gun- September. boats, carrying eighty-ſeven guns. The armed veſſels were manned by naval officers and ſeamen; the gun-boats by the Britiſh and Heſſian artillery, under their own officers, with merchant-ſeamen to row them. The command of the whole was intruſted to captain Pringle, with the rank of commodore: Sir Guy Carleton went on board his veſſel as a paſſenger.

THE enemy having advanced to Point-au-fer, the 5th Oct. flotilla, by great exertions, was enabled to quit St. John's. The army, commanded by lieutenant general Burgoyne, followed as far as Cumberland Bay, having been inſtructed to await the ſucceſs of the naval attack.

THE gun-boats commenced effective operations by 11th. driving on ſhore, on Valcour Iſland, an American brig of fourteen guns. The Indians, who attended the Britiſh fleet in canoes, then landed, and retained poſſeſſion of the iſland, between which, and the eaſtern ſhore of the lake, the enemy's fleet was anchored. The Britiſh gun-boats, aſſiſted by ſuch veſſels as could work into the bay againſt the wind, aſſailed the Americans; the firing continued till ſunſet, during which time three American veſſels were deſtroyed, with about ſeventy men killed and wounded: the Britiſh loſt one gun-boat and twenty men.

COLONEL

CHAP. XXIX.

1776.

COLONEL ARNOLD, anticipating a certain defeat when the armed veſſels and gun-boats could be enabled to act conjointly againſt his crippled fleet, dexterouſly paſſed between the Britiſh armament and the

12th. ſhore during the night, and at day-break, almoſt the whole of his force was out of ſight. A purſuit was commenced, and a gale of wind, which diſperſed his ſquadron, was ſo favourable to the Engliſh, that in the two ſucceeding days, three veſſels, with brigadier

13th and 14th. general Waterbury, were captured; ſix more Arnold ran on ſhore and burned, and only three eſcaped, with Arnold himſelf, to Ticonderoga.

IN this exploit ſeveral ſingular circumſtances deſerve to be particularly commemorated. Lake Champlain is ninety miles in length, and at the wideſt part twelve in breadth, ſituated upward of ſeven hundred miles from the ſea, at the mouth of the river St. Lawrence. The veſſels were conſtructed in England, and after croſſing the Atlantic, taken to pieces, and carried by land, ſixteen miles, from Fort Chamblée to Saint John's, the river being impaſſable, and too ſhallow for their draught. The number of Britiſh naval officers who afterwards acquired high renown, many of whom began their active ſervice in this expedition, is alſo remarkable. The Americans laboured under almoſt equal difficulties with the Engliſh in forming their armament, and the gallantry of colonel Arnold ſhould not be forgotten: when under the neceſſity of firing ſix of his veſſels, he remained on board his galley till ſhe was completely enveloped in flame, and left his flag flying in a ſituation where it could not be ſtruck.

Cloſe of the campaign in Canada.

No impediment now remaining, the Engliſh advanced and took poſſeſſion of Crown Point, where they found the works, and barracks for a thouſand men, in a ſtate of decay. Preparations were made for rendering them capable of defence, and leaving a garriſon; but from the advanced period of the ſeaſon, it was deemed impracticable to ſecure ſupplies of pro-

viſions,

CHAP. XXIX.

1776.

viſions, while lake Champlain, neither entirely open, nor completely frozen, would ſoon become impaſſable till after Chriſtmas. The garriſon of Ticonderoga was conſidered too numerous to afford hopes of a ſucceſsful aſſault on the works, and the army evacuated Crown Point, and returned to Canada, having deſtroyed a material obſtruction to the operations of the next ſummer, and ſtrengthened the Britiſh fleet ſo as to preclude all probability of the building and equipment of another ſquadron by the enemy to diſpute the command of the lake in the enſuing ſpring[1]. 16th Nov.

Proceedings in North Carolina.

GOVERNOR MARTIN, after his expulſion from the government of North Carolina, uſed many efforts to regain the colony, and was ſtimulated in his exertions by information that conſiderable ſuccours were expected under Sir Peter Parker and lord Cornwallis. By means of truſty emiſſaries, he embodied, under the command of colonels Macdonald and Macleod, the Scotch emigrants, and a number of reſolute unruly men, called regulators, who lived in a wandering ſtate of independence, chiefly occupied in hunting. The enemy immediately collected a force under colonel James Moore, afterward a major-general. The plans of the loyaliſts were diſcovered and counteracted; for want of unanimity, they ſuffered an important period to elapſe in conferences, while Moore was joined by five hundred men under colonel Caſwell. Both bodies were ſtationed near Moore's Creek and an attack of the loyaliſts expected, when colonel Moore, during the night, retreated acroſs the water to a place of ambuſh, taking the planks from the bridge, and greaſing the ſleepers, ſo that only one man at a time could advance. Deluded by fires left in the camp, colonel Macleod conſidered it evacuated through fear, and preſſing unwarily forward with a ſmall number of men, was killed, together with moſt of his followers; ſome fled,

26th Feb. Defeat of the loyaliſts.

27th Feb.

[1] In this narrative I have been aſſiſted by valuable private information.

and

CHAP. XXIX.

and the reſidue, including colonel Macdonald, were taken priſoners.

1776. 3d May. Expedition to Brunſwick.

DELAYS in Ireland, and bad weather, prevented the arrival of the forces embarked with Sir Peter Parker till the ſeaſon was conſiderably advanced [m]. General Clinton, who quitted Boſton in December, took command of theſe troops on their arrival at Cape Fear, and by proclamation invited the coloniſts to return to their allegiance, which produced but inconſiderable effect. The general next ordered a ſmall party to the town of Brunſwick, to try the loyalty of the ſouthern provinces, and aſcertain whether they would arm in favour of Great Britain; but the lateneſs of the arrival at Cape Fear did not afford time for the experiment.

Unſucceſsful attempt on Sullivan's Iſland. 4th June.

ANOTHER expedition was undertaken by general Clinton, in conjunction with Sir Peter Parker, againſt Sullivan's Iſland, which principally protected the trade of Charleſtown, in South Carolina. After ſome delays the fleet reached the place of deſtination, and the general took poſſeſſion of Long Iſland, on the point of which batteries of cannon and mortars were raiſed, and which was repreſented as communicating with Sullivan's by a ford paſſable at low water, and with the main by creeks navigable with boats of draught. General Clinton, on inveſtigating the ſituation of the ford, found, to his great mortification, the channel, which was reported to be only eighteen inches, upwards of ſeven feet in depth: his operations from Long Iſland conſequently became confined; and although his ſituation occaſioned alarm to the enemy, yet as he had not boats for above ſeven hundred men, he could not attempt any important operation. He

[m] Theſe conſiſted of the Briſtol of 50 guns, Sir Peter Parker; the Experiment of 50 guns; the Active, Solebay, Acteon, and Syren frigates of 28 guns each; the Sphynx of 20 guns; a hired armed ſhip of 22; a ſmall ſloop of war, and an armed ſchooner, and the Thunder bomb-ketch. The land forces under lord Cornwallis and brigadier-general Vaughan compriſed ſix regiments and ſeven companies.

informed

informed the commodore that there was no practicable ford, and of the conſequent impoſſibility of co-operating, but offered when the attack ſhould be begun, to make a diverſion in the admiral's favour, or to ſend two battalions to act on his ſide, in caſe he and the general officer appointed to command them ſhould be of opinion they could be protected in landing, and employed to advantage; a propoſal to which no anſwer was returned. CHAP. XXIX. 1776. 18th June.

THE defence of Sullivan's Iſland was conducted by colonels Moultrie and Thomſon, under the direction of general Lee, who had travelled from the main army to a ſpot north of Sullivan's Iſland, where he lay encamped, and maintained a communication by means of a bridge of boats. The ſtreets near the water were ſtrongly barricaded; the ſtores on the wharfs pulled down, and lines of defence continued to the water's edge. In a few days, by the labour of the inhabitants, in conjunction with ſome negroes from the country, ſuch obſtructions were raiſed as would greatly have embarraſſed the royal army in an attempt to land. The Americans gained this interval in conſequence of delays to which the fleet was ſubjected by the weather. When the aſſault commenced, three frigates (the Acteon, Syren, and Sphynx) proceeding to a point from which they could have aſſailed the weakeſt part of the fort, ran aground; two were afterward floated, but the Acteon was burnt to prevent her falling into the hands of the enemy. This accident fruſtrated the intended co operation of the troops, who were embarked for the purpoſe. The fort was built of palmetto, a ſoft porous wood, which received the cannon balls with little damage, and[n] although a tremendous firing was maintained till night; reſiſted its effect[n]. The Americans directed their artillery with ſteady aim and 28th.

[n] This circumſtance is alſo attributed to the length of the merlons, and the looſeneſs of the fort, which diminiſhed the effect expected from the weight of the ſhot. The palmetto is a tree peculiar to the Southern ſtates of America; it grows from 20 to 40 feet

CHAP. XXIX. 1776.

and tremendous execution; the ſhips were reduced to wrecks, and the quarter-deck of the Briſtol was, at one time cleared of every officer, except the commodore. For about an hour and half the fort was ſilenced and evacuated, but re-occupied by the Americans, when they found the Britiſh army could not take poſſeſſion. In the night the ſhips ſlipped their cables, and in a few days the troops re-embarked for New York, leaving the damaged veſſels near the ſcene of action to refit.

THIS failure in an attack on one of the weakeſt of the colonies was extremely detrimental to the Britiſh cauſe; it gave additional animation to the hopes of the Americans, and perhaps ſanctioned the preſumption of ſome of their meaſures. Congreſs expreſſed warm approbation of the conduct of its officers, and the fort ſo ably and proſperouſly defended, received the name of Moultrie. From ſome obſcurities and adventitious miſtakes in Sir Peter Parker's letter, and the extract of general Clinton's diſpatch, which were inſerted in the London Gazette, attempts were made to convey cenſure on the conduct of the army, and fix on the general the charge of negligence, in having omitted to apprize himſelf of the ſtate of the fort, at a ſufficiently early period. General Clinton however had communicated that circumſtance to the commodore, ten days before the attack. If his offer of placing troops on board the ſhips, or of making a diverſion on the ſide of Mount Pleaſant, had been accepted, undoubtedly the fort might have been ſecured when evacuated by the enemy, an event ſuppoſed to have been occaſioned by the want of powder, which was afterward brought to them from the main land. In fact, it appears that Sir Peter Parker, from an exceſ-

40 feet in height, without branches, and terminates in a head reſembling that of a cabbage. The wood is remarkable ſpongy; a bullet entering makes no extended fracture, but buries itſelf without injuring the parts adjacent. Ramſay's Hiſtory of the Revolution in South Carolina, vol. i. p. 141.

CHAP. XXIX.

1776.

five confidence in the powers of the fleet, rather undervalued, and therefore declined the co-operation of the army *.

Proceedings in congreſs.

HOWEVER artfully the fact might be veiled, or however ſtrenuouſly denied, it could not be reaſonably doubted, that from the beginning of the conteſt with America, a violent and active party had been unremittingly employed in effecting a total ſeparation between the colonies and the mother-country. Every incident which could favour this aim was aſſiduouſly cheriſhed, and every expreſſion which could exaſperate the coloniſts ſtudiouſly amplified. Early in the ſummer of 1775, congreſs paſſed a vote, that the aſſemblies of the ſeveral colonies ſhould inſtruct their deputies relative to the independence of America. The reſtraints and increaſing difficulties under which the advocates for ſeparation would find themſelves in the event of a protracted conteſt on the preſent terms, undoubtedly gave impulſe to this premature vote. The ſucceſs which attended their military efforts in that campaign, diminiſhed the apparent preſumption; the proceedings in the enſuing ſeſſion of parliament, were deſcanted on in a manner calculated to forward the intended effect; and all the reſources of faction were tried to render this daring meaſure acceptable.

Efforts to attain independence.

Publications.

THE preſs was neceſſarily a principal inſtrument, and teemed with numerous publications. Among the moſt conſpicuous, was a pamphlet written by Thomas Pain, called Common Senſe. The author had lately emigrated from England; he had no claim to the advantages of education, but thought and reaſoned with force, and with a ſubtlety which was the more dangerous, as it was diſguiſed under the ſemblance of unpremeditated candour. His pamphlet was replete with rough ſarcaſtic wit, and he took a correct aim at the feelings and prejudices of thoſe whom he intended to

Common Senſe.

* In this account, beſide the hiſtories, Gazette, and periodical publications, I have conſulted the Memoirs of General Lee, Ramſay's Hiſtory of the Revolution in South Carolina, and have been favoured with ſome unpubliſhed documents.

influence.

CHAP. XXIX. 1776.

influence. Writing to fanatics, he drew his arguments and illuſtrations from the holy ſcriptures; his readers having no predilection for hereditary titles, diſtinctions to them unknown, received with applauſe his invectives and ſneers at hereditary monarchy; a notion of increaſing opulence, and falſe calculations on their population and means of proſperity, had rendered them arrogant and ſelf-ſufficient, and conſequently diſpoſed them to reliſh the arguments he employed, to prove the abſurdity of ſubjugating a large continent to a ſmall iſland on the other ſide of the globe. To inflame the reſentment of the Americans, every act of the Britiſh government toward them, was repreſented in the moſt ungracious light; and their confidence was augmented by arguments tending to prove the neceſſity, advantage, and practicability of independence. This publication was ſo well timed, and ſo artfully written, as to produce effects which a more laboured eloquence and better arguments would have emulated or oppoſed in vain, and procured numerous partiſans to the cauſe of independence, even among thoſe who, but a few months before, regarded the propoſition with abhorrence. Minor arts were not neglected: the mob of Philadelphia, the ſeat of congreſs, in particular, and the lower claſs in all parts of the continent, were taught to clamour for this favourite object, and to treat individuals as friends or enemies, in proportion as they favoured or oppoſed it.

Mobs.

Influence uſed in congreſs.

YET many of the ſuperior order were reſtrained by fear, intereſt, habit, and conſcience, from acceding to a plan of final ſeparation; but thoſe whom ſuch motives could reſtrain were reſerved, mild, and patiently expectant of events, while their opponents were ſanguine, violent, and precipitate.

15th May. Recommendation to the colonies to new-model their governments.

PURSUING the line of conduct adopted in the preceding year, the congreſs paſſed a reſolution, recommending the aſſemblies and conventions of the united colonies, where no ſufficient government had been hitherto eſtabliſhed, to adopt ſuch as ſhould beſt con-

duce to the happineſs and ſafety of their conſtituents, and of America in general. The reaſons aſſigned for this vote in its preamble, were the king's conduct, in having, jointly with the two houſes of parliament, excluded the Americans from the protection of his crown, refuſed to anſwer their petitions, and engaged mercenaries to deſtroy the *good people* of the colonies; and it was declared irreconcileable to reaſon and good conſcience, to take the oaths and affirmations neceſſary for the ſupport of any government, under the crown of Great Britain [p]. CHAP. XXIX. 1776.

Proceedings.

THIS reſolution, in which the king's perſonal conduct and authority were firſt formally attacked, was received with various ſenſations. In the convention of Maryland, the propoſition of independency was rejected by ſeven counties againſt four; inſtructions ſent to the delegates in congreſs to vote againſt it: but the ſame convention paſſed a reſolution for omitting the king's name in the public prayers [q]. The committee of inſpection for the province of Philadelphia, in an addreſs to the aſſembly, obſerved with the deepeſt concern, that the ground of oppoſition to the meaſures of the Britiſh miniſtry was totally changed; inſtead of forwarding reconciliation, a ſyſtem was adopted tending immediately to ſubvert the conſtitution. Appealing to the declaration of congreſs, that they meant not to deſtroy but reſtore the union, the committee adviſed the aſſembly religiouſly to obſerve the inſtructions given to the delegates in congreſs, and oppoſe the minuteſt alteration of that valuable conſtitution, under which the people had experienced every happineſs, and in ſupport of which they were willing to engage in any juſt and reaſonable undertaking. The aſſembly, declaring the queſtion of independence too important for their deciſion, ſent their repreſentations on each ſide to all the towns and counties in the pro-

In Maryland. 28th May.

Philadelphia.

[p] See the vote, Almon's Remembrancer, vol. iii p. 136.
[q] Idem. p. 206.

CHAP. XXIX. 1775.

vince, and withdrew from their union with congreſs. The committee of Philadelphia, indignant at this moderation, preſented a memorial to congreſs, declaring the aſſembly did not poſſeſs the confidence of the people, nor conſtitute a full and equal repreſentation, the majority being compoſed of men who held offices under the crown, who were dragged into a compliance with moſt of the reſolutions of congreſs from the fear of a provincial convention, and who were no leſs to be dreaded than that power which had declared itſelf poſſeſſed of a right to tax the colonies without their conſent, and to bind them in all poſſible caſes. On a reference to the people, the majority were reported to favour independence; and a convention, ſuperſeding the aſſembly, inſtructed the delegates in congreſs to vote accordingly [r].

Virginia.

VIRGINIA, the country of general Waſhington, Patrick Henry, and other conſpicuous revolutionary characters, not only adopted, but rather anticipated

15th May.

the views of congreſs; for on the very day the reſolution paſſed in that body, recommending to the people to fix a form of government, the convention of the province unanimouſly reſolved that their delegates ſhould be inſtructed to propoſe a declaration that the united colonies were free and independent ſtates, abſolved from all allegiance to the crown or parliament of Great Britain, and to concur in the neceſſary meaſures for contracting foreign alliances [s]. A committee appointed at the ſame time to prepare a declaration of rights, preſented, at a ſubſequent ſitting, the reſult of their labours, in eighteen articles [t].

IN

[r] Almon's Remembrancer, vol. iii. p. 206. 208. 261.

[s] Idem, p. 22.

[t] Some of theſe merit notice, as well for their own importance, as on account of the practical illuſtrations they have ſince received.

1. All men are born equally free and independent, and have certain inherent natural rights, of which they cannot, by any compact, deprive or diveſt their poſterity; among which are the enjoyment of life and liberty, with the means of acquiring and poſſeſſing property, and purſuing and obtaining happineſs and ſafety.

2. All

CHAP. XXIX.

1776.

Declaration of rights. 1st June.

Diſcuſſion of the queſtion of independency.

In the interval preceding the diſcuſſion of the important queſtion of independence, intrigue was never at reſt: many members of congreſs intractably adhered to their firſt inſtructions, and could not be convinced that a ſound majority of the people would ever ſanction the meaſure. The inſtructions procured to that effect were not ſo numerous, or ſo poſitive, as had been expected, and the determined oppoſition they encountered, almoſt reduced the revolutionary party to deſpair [u]. The period was, however, arrived, when the experiment muſt be finally tried; the commiſſioners were on their paſſage from England; and unleſs the people of America were precluded by ſome authentic act from embracing their propoſals, the labour ſo long employed would be loſt, and the proſpect, now ſo near and flattering, for a long time cloſed.

---

2. All power is veſted in, and conſequently derived from, the people; magiſtrates are their truſtees and ſervants, and at all times amenable to them.

3. Government is inſtituted for the common benefit, protection, and ſecurity of the community. That government is beſt which is capable of producing the greateſt degree of happineſs and ſafety, and is moſt effectually ſecured againſt the danger of mal-adminiſtration; and whenever any government ſhall be found inadequate or contrary to theſe purpoſes, the majority of the community hath an indubitable, unalienable, and indefeaſible right to reform, alter, or abolish it, as ſhall be judged moſt conducive to the public weal.

4. No man, or ſet of men, are entitled to excluſive or ſeparate emoluments or privileges from the community, but in conſideration of public ſervices; which not being hereditary, the idea of a man born a magiſtrate, a legiſlator, or a judge, is unnatural and abſurd.

16. The people have a right to uniform government, and therefore no government ſeparate from, or independent of, the government of Virginia, ought of right to be erected or eſtabliſhed in the province.

17. No free government, or the bleſſing of liberty, can be preſerved to any people, but by a firm adherence to juſtice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles.

The remaining articles relate to the election of repreſentatives, the impoſition of taxes, to crimes, trial, and puniſhments, to bail, the liberty of the preſs, the militia, and religious toleration. See the Declaration of Rights at length. Almon's Remembrancer, v. iii. p. 221.

[u] Gallowa's Hiſtorical and Political Reflections on the Riſe and Progreſs of the American Rebellion, p. 105.

CHAP. XXIX.

1776. 7th June.

PURSUANT to the inſtructions received from that colony, the motion for declaring America independent, was made by Richard Henry Lee, of Virginia. The debates were continued nearly a fortnight: John Adams was the principal ſupporter of the affirmative, and John Dickinſon his chief opponent [x]. After all the efforts of intrigue, on putting the queſtion, ſix colonies voted on each ſide, and the delegates for Pennſylvania were equally divided. Contrary to the eſtabliſhed rule of their own proceeding, the debate was reſumed the enſuing day, when Mr. Dickinſon, a man naturally timid and variable, relinquiſhed the principle he had ſo ſtrenuouſly maintained, and by his vote decided the conteſt [y].

It is carried.

4th July. Declaration of independency.

A DECLARATION, or act, of independence was ſoon afterward promulgated, and it may ſafely be averred, that at no preceding period of hiſtory was ſo important a tranſaction vindicated by ſo ſhallow and feeble a compoſition. It begins by recognizing the propriety of explaining with a decent reſpect, to the opinions of mankind, the cauſes which impelled the congreſs to diſſolve their political connexion with England, and to aſſume among the powers of the earth, the ſeparate and equal ſtation to which they were entitled by the laws of nature and of nature's God. The leading articles of the declaration of rights by the convention of Virginia are then affirmed; and while it is admitted that governments long eſtabliſhed ſhould not be changed for light and tranſient cauſes, an aſſertion is made that a long train of abuſes and uſurpations evinced a deſign to eſtabliſh abſolute deſpotiſm, and that the hiſtory of the king of Great Britain, was a hiſtory of repeated injuries and uſurpations, all having in direct object the eſtabliſhment of abſolute tyranny over the United States. In ſupport of this poſition, ſeveral

[x] Ramſay's Hiſtory of the American Revolution, vol. i. p. 338.

[y] Galloway's Hiſtorical and Political Reflections, p. 108. Galloway's Examination before the houſe of commons, p. 5, note.

acts

acts of the king were cited in the abſtract, many of which were merely conſtitutional, ſuch as refuſing to ſanction laws and diſſolving aſſemblies: ſome were vaguely alleged, as *endeavouring to prevent* the population of the ſtates, and *affecting to render* the military independent of, and ſuperior to, the civil power. By aſſenting to the acts of parliament which gave immediate riſe to the conteſt, he was accuſed of *combining with others* to ſubject America to a juriſdiction foreign to her conſtitution, and unacknowledged by her laws: and in the true ſpirit of unqualified miſrepreſentation, he was declared to have *abdicated government* by declaring the Americans out of his protection, and waging war againſt them. Some paſſages are remarkable for low and intemperate ſcurrility; and the whole accuſation of the king is ſummed up by averring, that a prince ſo marked by every act which may define a tyrant, is unfit to be the ruler of a free people, and, in conſequence, the congreſs, in the name, and by the authority of the *good people* of America, ſolemnly publiſhed and declared, that the colonies were free and independent ſtates, abſolved from all allegiance to the Britiſh crown; that all political connexion between them and Great Britain was diſſolved, and they, as free and independent ſtates, had full power to levy war, conclude peace, contract alliances, and eſtabliſh commerce[z].

THAT the court of Great Britain ſhould not condeſcend to anſwer this intemperate and futile declaration, could excite no ſurpriſe. The Americans were not yet conſidered by the world, as congreſs arrogantly affected to conſider them, *a people* diſſolving, in the natural courſe of events, thoſe political bands which formed the connexion with *another people*; they were ſubjects contending, whether rightly or not, againſt the authority of their legitimate ſovereign. It was

[z] See the Declaration in the Annual Regiſter for 1776, p. 261; Almon's Remembrancer, v. iii. p. 258; and Ramſay's Hiſtory of the American Revolution, v. i. p. 389.

CHAP. XXIX. 1776.

their intent to obtain, by ſpecious repreſentations, the negative countenance at leaſt, if not the poſitive aſſiſtance of other powers; but Great Britain had no appeal to make, the queſtion between her and her colonies was not one of public right, but of domeſtic regulation: to have anſwered the declaration of independence, would have been to acknowledge a right in other powers to interfere, ſpeculatively at leaſt, in her concerns, and would, beſide, have produced declarations relative to principles, which, in the exiſting ſtate of the public mind in Europe and America, could anſwer no beneficial purpoſe, but muſt produce endleſs diſcuſſions, in which the real nature and ground of the diſpute would have been more and more obſcured and deſerted. Yet although this paper was not formally anſwered, the framers had no reaſon to triumph in the ſucceſs of unrefuted calumny, and undetected miſrepreſentation. The preſs in England not being ſubject to the ſame tyranny as was exerciſed over it by the revolutioniſts of America, ſent forth an anſwer complete in all its parts, in which every fallacy in argument, every falſe aſſumption in principle, every mis-ſtatement in fact, was expoſed and refuted with ſo much clearneſs, perſpicuity, and irrefragable force, as to render it ſurpriſing, that a public body ſhould found their defence of an important meaſure on pretences ſo fallacious, and ſo extremely open to detection [a].

Effect of publiſhing it.

WITH reſpect to foreign powers, this declaration could not be expected to produce any other effect than that of affording a pretext, to ſuch as were already ſo diſpoſed, to gratify their malice againſt England by active hoſtilities, or purſue what they conſidered their own intereſt, in forming commercial

[a] The work alluded to is intitled, "An Anſwer to the Declaration of the American Congreſs," printed for Cadell, Walter, and Sewell, 1776. It is in the higheſt degree worthy the peruſal of thoſe who wiſh to have the means of thinking rightly on the origin of the American diſpute. Another anſwer, written by governor Hutchinſon, intitled, "Strictures on the late Declaration of Congreſs," was for ſome time privately circulated, and at length publiſhed: it may be found in Almon's Remembrancer, v. iv. p. 25. It is not ſo detailed as the other, but contains many valuable obſervations.

connexions

CHAP. XXIX. 1770.

connexions with the revolted coloniſts. In America, where the firſt and moſt important effects were to be produced, the ſucceſs of ſuch a paper was rendered almoſt certain: the preſs was completely enſlaved by the popular party; and no printer, on peril of his life, durſt publiſh a ſentence in refutation of their aſſertions. The multitude would not ſtedfaſtly examine, or carefully ſeparate the allegations which were falſely ſtated or fallaciouſly blended; but taking the whole as the abſtract of long meditation, ſanctioned by the higheſt authority, receive it with implicit deference. The ſcurrility with which it abounded was gratifying to the taſte of the populace; and the direct attack on the perſon and authority of the king, gave a new impulſe to their ſpirits, and furniſhed a more conſpicuous topic of invective.

Its reception by the people:

THE declaration of independence was received with marks of applauſe, accompanied with inſults on the king. At New York, an equeſtrian ſtatue, erected in 1770, was thrown down and melted; and in moſt parts of the colonies the word royal, and the ſign of the crown were ſuppreſſed in the ſtreets [b]. The declaration was read to Waſhington's army, who received it with loud acclamations [c].

and army.

AMERICA being thus divided from the mother-country [d], no reſerve was maintained by thoſe who had ſo long laboured to attain that end, in avowing the courſe and object of their efforts. Samuel Adams, a diſtinguiſhed leader of the American councils, noted for ſubtlety, perſeverance, and inflexibility, boaſted in all companies that he had toiled upward of twenty years to accompliſh the meaſure; during that time he had carried his art and induſtry ſo far, as to ſearch

Exultation of ſome members of congreſs.

[b] Almon's Remembrancer, vol. iii. p. 286. 287.

[c] Waſhington's Letters, vol. i. p. 185.

[d] The ſeparation of America from the Britiſh empire took place 291 years after the diſcovery of that continent by Columbus; 166 years from the firſt eſtabliſhed ſettlement in Virginia, and 156 years from the firſt ſettlement of Plymouth in Maſſachuſet's Bay, which were the earlieſt Engliſh ſettlements in America. Morſe's American Geography, p. 105.

CHAP. XXIX. 1776.

after every riſing genius in the New England ſeminaries, employed his utmoſt abilities to fix in their minds the principles of American independency, and now triumphed in his ſucceſs [e].

State of the American army.

INDEPENDENCE was not, however, to be ſecured by a vote of congreſs, by an inſulting declaration, or by ſhouts of applauſe. A vigorous campaign was expected; its commencement was awaited with awful anxiety, and the moſt ſanguine hopes could not veil the diſadvantages under which the Americans were likely to labour. The wants of their army, though conſiderably relieved, were not effectually removed, even gunpowder and flints were not ſupplied in abundance [f]; and the general drew deplorable pictures of his want of reinforcements, which were ſlowly obtained [g]. Great alarms were entertained reſpecting the German mercenaries; and Waſhington even propoſed a decoying ſcheme to lure them from the Britiſh into the American ſervice, by the employment of a corps of their emigrant countrymen; a project which was ſanctioned by congreſs, and attended with conſiderable effect [h]. The difference of political opinions, in ſo intereſting a criſis, could not fail to create many apprehenſions of plots and conſpiracies; and the jealouſy of a revolutionary government was exerted at New York, Albany, and other places, in the detection, prevention, and puniſhment, of attempts which were depicted in terrifying though perhaps aggravated colours [i].

Britiſh plan of campaign.

THE Britiſh plan of campaign embraced three objects; to recover Canada, and invade the back ſettlements by way of the lakes; to make a ſtrong impreſſion on the Southern provinces; and to direct a grand expedition againſt the city and province of New York.

[e] Galloway's Hiſtorical and Political Reflections, p. 109.
[f] Waſhington's Letters, vol. i. p. 179. 193.
[g] Idem, p. 168. 222. et paſſim.
[h] Waſhington's Letters, p. 146. 176.
[i] Idem, vol. i. p. 173, 174. 181. Annual Regiſter, 1776, p. 169.

The

1776.

The partial ſucceſs of the firſt, and the failure of the ſecond part of the project have been already detailed. The expedition againſt New York, was regarded, by general Waſhington with alarm, uncontaminated by fear, and with a contemplative anxiety, which only ſuggeſted maxims of caution, commenſurate to the known extent of the danger[k].

11th June. Arrival of lord Howe.

GENERAL HOWE, having refreſhed his troops at Halifax, proceeded to Sandy Hook; but being informed that the enemy were endeavouring, by ſtrong intrenchments at New York and Long Iſland, and by chains of ſunk veſſels in different parts of the channel, to obſtruct the paſſage of the fleet up the North and Eaſt Rivers, he repaired to Staten Iſland, ſituate oppoſite Long Iſland, where he landed his men without oppoſition. Lord Howe, the joint commiſſioner for treating on peace, who had long been expected, arrived about the ſame time at Sandy Hook, and proceeding immediately to Staten Iſland, landed the troops from England, which augmented the Britiſh force to near thirty thouſand men, ſupported by a numerous and powerful fleet.

29th.

3d July.

12th July.

LORD HOWE made the firſt effort as a pacificator, by opening a direct communication with Waſhington. The American general, ſagaciouſly foreſeeing a deficiency of form in addreſſing him, raiſed a cavil to prevent the effects of a conference, ſo critical in the newly-embraced ſtate of independency. Purſuant to the advice of a council of officers, he declined receiving a letter, ſuperſcribed "to George Waſhington, Eſq." and congreſs expreſſing high approbation of the general's conduct, directed that it ſhould be his rule in future, and a model to other commanders.

11th July. Attempt to negotiate with Waſhington.

19th.

THE next day lord Howe ſent on ſhore, by a flag of truce, a circular letter and declaration to the late governors of provinces, apprizing them of the civil and military authorities veſted by the late act of parlia-

15th. Circular letter.

[k] Ideſm, vol. i. paſſim from 174 to 220.

ment

CHAP. XXIX. 1776.

ment in his brother and himſelf; informing the public of their powers to grant pardons to any number or deſcription of perſons, to proclaim the reſtoration of any colony, diſtrict, or place to the king's peace, from which time the king might diſcontinue the effect of the reſtraining act, and declaring that pardons ſhould be granted, dutiful repreſentations received, and every ſuitable encouragement given for promoting meaſures conducive to the eſtabliſhment of legal government and peace.

19th. THESE papers were forwarded by general Waſhington to congreſs, who immediately publiſhed them with a prefatory comment in the ſhape of a reſolve, that the *good people* of the United States might be informed of what nature were the commiſſions, and what the terms, with the expectation of which the inſidious court of Great Britain had endeavoured to amuſe and diſarm them, and that the few who ſtill remained ſuſpended by a hope founded either on the juſtice or moderation of their late king, might now at length be convinced that the valour alone of their country was to ſave its liberties.

16th. Further efforts to negotiate. UNWILLING to abandon the hopes of a negotiation on account of a ſingle repulſe, and yet unable perhaps to recognize the aſſumed title of the American commander, general Howe attempted to evade the point, by directing to George Waſhington, Eſq. &c. &c. &c.

21ſt. This letter was alſo declined, and although a conference was afterward obtained by colonel Paterſon, no impreſſion could be made favourable to the opening of a treaty of pacification, nor could the letter, on any terms, or under any explanations, be received[1].

Letter to Franklin. As a laſt effort to avoid hoſtilities, lord Howe addreſſed a letter to Dr. Franklin, who anſwered, that preparatory to any propoſition of amity or peace, Great Britain would be required to acknowledge the

[1] See Waſhington's Letters, vol. i. 195 to 204. Almon's Remembrancer, v. iv. p. 18, 100.

independence

independence of America, defray the expenſes of the war, and indemnify the colonies for burning their towns. This was only his own opinion, unauthorized by thoſe in whom the Americans had inveſted the power of peace or war.

Battle of Brooklyn.

DELAY had now been carried to its utmoſt limits, and the ſeaſon for action was already advanced to a late period. The troops under general Clinton having joined the main army, a diſembarkation was effected between Utrecht and Graveſend, on Long Iſland, which was ſelected as the firſt object of attack, preparatory to the reduction of New York. The advanced party of the enemy fled with precipitation on the approach of the royal troops, and haſtened to gain the woody heights which commanded the line of progreſs, burning in their retreat the houſes and granaries. Fifteen thouſand provincials were encamped near Mill Creek, encloſed by a line of entrenchment, ſtrongly ſecured by abbatis, flanked by redoubts, and lined with pikes. Another party lay at Brooklyn, on the eaſt river oppoſite New York, where they had conſtructed ſtrong works. General Putnam was detached from Mill Creek with ten thouſand men to occupy the heights which obliquely interſected the iſland, and defend the defiles which led through the hills. In a plain, oppoſite the centre of Putnam's line, ſtood the village of Flat Buſh, to which the Heſſians under general De Heiſter were advanced, occupying the attention of the enemy, and frequently ſkirmiſhing with the patroles.

22d Aug.

26th Aug.

GENERAL CLINTON and Sir William Erſkine having reconnoitred, general Howe, in purſuance of their advice, formed diſpoſitions for turning the left flank of the enemy. The right wing of the Engliſh army, commanded by general Clinton, ſupported by brigades under lord Percy, and by the reſerve under lord Cornwallis, quitted the camp in the night, croſſing the country by Flat-lands, to ſecure a paſs over the heights of Guiana on the road to Bedford. General Howe

CHAP. XXIX. 1776.

accompanied this expedition, and had the pleaſure of witneſſing its complete ſucceſs. The paſs in queſtion, though of the utmoſt importance, was diſtant, and the enemy had neglected to ſecure it, relying for intelligence of an attack on patroles of cavalry: one of theſe was fortunately intercepted; and alarm being thus prevented, the Britiſh paſſed the heights unimpeded, and reached Bedford at nine o'clock in the morning.

27th Aug.

Without loſs of time, they aſſailed the left of the Americans, who were thrown back on their right, and, after a feeble reſiſtance, retired over the Mill Creek, but in ſuch irreparable confuſion that few only got into the line. The firing on the left of the enemy ſerved as a ſignal to De Heiſter, who with a column of Heſſians attacked their centre near Flat Buſh, and after a warm engagement drove them into the woods.

THE left column, under the command of general Grant, proceeded at midnight from the Narrows, by the edge of the bay, and in order to divert the attention of the enemy from the other principal points of attack, engaged their advanced guard. The Americans fought with firmneſs; and did not make a retrograde movement till they received intelligence of the entire rout of the other diviſions of their army. They then attempted to ſecure a retreat, which ſome of them effected, with difficulty, and in diſorder, over a mill-dam, and through a moraſs.

THE victory on the ſide of the Britiſh troops was complete, though not deciſive: two thouſand of the enemy were killed in the field or drowned, and near eleven hundred taken priſoners, among whom were generals Sullivan, Udell, and lord Stirling. The Maryland regiment ſuffered moſt ſeverely, as upward of two hundred and ſixty men of the beſt families in the province were cut to pieces.

THE loſs of the Britiſh was between ſixty and ſeventy killed, and two hundred and thirty wounded. The ardour and conduct of the troops were highly extolled; both Engliſh and foreigners performed their

ſervices

ſervices with a zeal ſtimulated by emulation to its greateſt pitch of exertion. In the impetuoſity of their courage they were with difficulty reſtrained from attacking the American lines, and, conſidering the difference between perfect diſcipline and total inexperience, the fluſh of ſucceſs and the langour of defeat, would in all probability have ſucceeded; they were however reſtrained by general Howe, who conſidering it certain that he ſhould obtain eaſy poſſeſſion by regular approaches, would not riſque the loſs of blood in an aſſault, but ordered his forces to retire out of the reach of muſketry.

In the evening of the ſame day the Britiſh army encamped in front of the American lines, and, on the enſuing morning, broke ground about ſix hundred yards from one of the redoubts on the left. General Waſhington exerted himſelf with incredible aſſiduity in repairing or palliating the effects of the late diſaſter; he afforded every facility in his power for thoſe who had been miſſing at the cloſe of the engagement to return, and many found their way from the woods to head-quarters. During forty-eight hours, in ſultry weather, he was almoſt conſtantly on horſeback and never ſlept [m]. 28th Aug.

His ſituation was, however, in every reſpect untenable; his army was the laſt reſource of America, and the event of a ſecond engagement, or of ſucceſs in an attempt to force the lines, muſt have occaſioned its total annihilation. He could not venture to weaken the garriſon of New York by ſending ſupplies, and feared, if the wind ſhould change, that ſhips of war would ſail up the Eaſt river, and preclude every hope of a retreat, which was now his only refuge. Even this was an enterprize of the utmoſt hazard and difficulty: it was to be performed cloſe to a vigilant enemy, provided with every means of annoyance, and elevated Retreat of the Americans to New York. 29th.

[m] Waſhington's Letters, v. i. p. 242. See alſo general Howe's account, in the papers preſented to parliament; Parliamentary Regiſter, vol. xi. p. 340.

CHAP. XXIX. 1776.

with victory, while his own troops were diſpirited, and almoſt deſpondent. He conducted this retreat with great judgment and ſkill, and was favoured by the extreme darkneſs of the night. In thirteen hours nine thouſand men, beſide field artillery, ammunition, proviſions, cattle, horſes, and carts, effected, without loſs or interruption, a retreat to New York, over Eaſt River the ſtream being a mile in width, and ſeveral embarkations neceſſary. At firſt the wind and tide were unfavourable; but an hour before midnight the ſea became calm, and the breeze friendly; Long Iſland was alſo enveloped in a thick fog, which prevented the Britiſh troops from obſerving the motions of the Americans; while on the coaſt of New York, to which their courſe was directed, the ſky was bright and ſerene. The pickets of the Engliſh army arrived only in time to fire on their rear guard, who were already too far from ſhore to ſuſtain injury [n].

Renewed negotiation.

ONE of the firſt meaſures taken by lord Howe after the victory of Brooklyn, was to diſpatch his priſoner,

[n] In theſe tranſactions the conduct of both parties has been blamed with conſiderable ſeverity, and perhaps not without juſtice. The American commanders are cenſured for having ſuffered themſelves to be completely ſurrounded by the Britiſh force at the battle of Brooklyn, a miſconduct which expoſed them to certain loſs and imminent hazard. It is alledged on their behalf, that they were not apprized of the number of troops landed on Long Iſland; and an inſinuation of treachery is advanced againſt thoſe whoſe duty it was to ſecure the paſſes. After the battle, their conduct was a maſterly ſpecimen of prudence and preſence of mind.

The Britiſh commanders are charged with many glaring inſtances of miſconduct. The attack was planned with conſummate judgment, and executed with equal promptitude, and valour; but in no reſpect were the means of ſucceſs puſhed to their utmoſt poſſible reſults. After the right had defeated the left of the Americans, and they were retreating in confuſion, general Howe might have followed his advantage, forced the enemy's works, and ſecured a deciſive victory. He is ſeverely blamed for checking the ardour of his troops when eager for purſuit, and for not taking poſſeſſion of Brooklyn ferry, which would have rendered the eſcape of the Americans almoſt impoſſible. He had, it is alledged, early intelligence of the retreat of the enemy, but neglected to direct a purſuit till too late to be effectual. Thus the reſults of a victory which redounded to the honour of the Britiſh arms, were reduced to the unimportant poſſeſſion of Long Iſland. Yet for all theſe apparent errors of conduct, it is ſaid general Howe had good reaſons, both military and political. He gave his own military reaſon for forbidding the forcing of the lines, and his political conduct was guided by the conſideration of his duty as a commiſſioner ſent to treat for peace, and whoſe overtures would be moſt favourably viewed in the moment of ſucceſs, eſpecially if no prejudice was excited by the exertion of extreme violence or unneceſſary rigour.

general

general Sullivan, to the congreſs, for the purpoſe of inviting ſome members of that body to meet him, not as deputies from an independent ſtate, but as private gentlemen, in order to facilitate pacification; and he ſtated as an inducement, that ſo favourable an opportunity would not again occur, as neither party was reduced to a ſtate of abject humiliation, nor to a ſituation, that preſented aſſent or ruin as the ſole alternative. If congreſs were diſpoſed to treat, he obſerved, many things which had not yet been aſked might and ought to be granted; and if a conference afforded probable ground of accommodation, their authority muſt afterward be acknowledged, to complete the compact. CHAP. XXIX. 1776.

THE uncertainty and numerous diſadvantages attending the actual ſituation of affairs, were ſtrongly felt by congreſs. The people were clamorous for a knowledge of the terms on which, without too great ſacrifices, they might obtain preſent eaſe, and avert the diſmal ſcenes of which they had a diſheartening proſpect [o]; and the army, reduced by defeat and deſertion to leſs than twenty thouſand, was in a ſtate of want and inſubordination. General Waſhington, in one of his letters, dated Long Iſland, 2d September 1776, gives a ſtriking and intereſting picture of the conſequences of the battle of Brooklyn. "Our ſituation," he ſays, "is truly diſtreſſing. The check our detachment ſuſtained, on the 27th ultimo, has diſpirited too great a proportion of our troops, and filled their minds with apprehenſion and deſpair. The militia, inſtead of calling forth their utmoſt efforts to a brave and manly oppoſition in order to repair our loſſes, are diſmayed, intractable, and impatient to return. Great numbers of them have gone off, in ſome inſtances almoſt by whole regiments, by half ones, and by companies at a time. This circumſtance of itſelf, independent of others, wher[illegible]nted by a well-

[o] Examination of Joſeph Galloway, p. 9. note.

appointed

CHAP. XXIX. 1776.

appointed enemy, ſuperior in number to our whole collected force, would be ſufficiently diſagreeable: but when their example has infected another part of the army, when their want of diſcipline, and refuſal of almoſt every kind of reſtraint and government, have produced a like conduct but too common to the whole, and an entire diſregard of that order and ſubordination neceſſary to the well-doing of an army, and which had been inculcated before, as well as the nature of our military eſtabliſhment would admit of, our condition is ſtill more alarming; and with the deepeſt concern I am obliged to confeſs my want of confidence in the generality of the troops."

THE leading members of congreſs were not however induced, by the threatening appearances of the moment, to relax in their projects; the independence of America, which they had labouriouſly and inſidiouſly promoted, was not to be ſo eaſily reſigned; nor would they forego the proud ſituation in which they ſtood as directors of this important conteſt. To preſerve an appearance of candour, and gratify the earneſt wiſh of the people, without ſeeming to abandon the duties of their ſtation, congreſs returned for anſwer to lord How's meſſage, that as repreſentatives of the free and independent ſtates of America, they could not, with propriety depute any of their members to confer in their private characters; but, ever deſirous of eſtabliſhing peace on reaſonable terms, they would authorize a committee to examine into the nature and extent of his authority, and hear his propoſitions. This committee conſiſted of Dr. Franklin, John Adams, and Edward Rutledge.

5th Sept. Committee of congreſs ſent to confer with the Britiſh commiſſioners.

6th,

FROM this reſolution, and the character of the individuals appointed to bear the inefficient function committed by congreſs, lord Howe might have anticipated the failure of his efforts. Three more ſtrenuous republicans could not have been ſelected; and they were not enabled to treat, but merely to inveſtigate and cavil at the powers of the commiſſioners.

His

His lordſhip, however, gave them a meeting on Staten Iſland, and, according to their own report, from which alone the circumſtances could be learned, received and entertained them with the utmoſt politeneſs. CHAP. XXIX. 1776. 14th Sept.

In opening the converſation, he proteſted againſt conferring with them as a committee of congreſs; but being authorized to conſult with private gentlemen of influence on the means of reſtoring peace, he with pleaſure availed himſelf of the opportunity. The delegates anſwered, his lordſhip might conſider them in whatever light he thought proper; but they could only view themſelves in the character committed to them by congreſs. Lord Howe then, in a diſcourſe of conſiderable length, recommended a return to allegiance and ſubmiſſion to Great Britain, accompanying his argument with aſſurances of the good diſpoſition of the king and his miniſters to make government eaſy, to reviſe the offenſive acts of parliament, and amend the inſtructions given to governors.

Such were the propoſitions which, according to the report made to congreſs, were offered by lord Howe, and if they had been propoſed a few days before the declaration of independence, the majority of congreſs might have felt themſelves bound to accede to them, as a ſecure and honourable baſis of pacification. Under that extorted declaration, however, the commiſſioners ſheltered themſelves, aſſigning their independence as a cauſe for rejecting, what they termed, the only explicit propoſition of peace. They deſcanted on the contempt ſhewn to their repeated petitions, and their unexampled patience under tyrannical governments; the laſt act of parliament, which denounced war, and put them out of the king's protection, compelled them to comply with the wiſh of the people, by framing the declaration of independence; every colony approved it; all now conſidered themſelves free ſtates, all were ſettling their governments under that opinion, and congreſs could not replace them in their former condition. They were deſirous of peace, and willing to treat with

CHAP. XXIX. 1776.

Great Britain for the advantage of both countries; and his lordſhip might, if the ſame good diſpoſition exiſted in Britain, receive freſh powers, enabling him to negotiate on the baſis of independency, much ſooner than authorities could be obtained by congreſs from the ſeveral colonies to conſent to ſubmiſſion.

LORD HOWE, with ſorrow, terminated the conference, declaring that on ſuch terms no accommodation could take place. The delegates, in their report to congreſs, declared it did not appear that his lordſhip's commiſſion contained any other authority of importance than was expreſſed in the act of parliament, that of granting pardons with diſcretionary exceptions, and of declaring, on ſubmiſſion, the whole, or any part of the continent, in the king's peace. As to the power of enquiring into the ſtate of America, and conferring, conſulting, and repreſenting the reſult to the miniſtry, who provided the colonies would ſubject themſelves, might, or might not, alter the former inſtructions to governors, or propoſe in parliament amendments of the obnoxious acts; any expectation from the effect of ſuch a power would have been too uncertain and precarious, even were America ſtill dependent.

THUS terminated this famous effort, from which the Britiſh commanders ſeemed to have formed ſuch expectations, that in the career of victory they afforded an interval for the experiment. The delegates of congreſs, with more policy than candour, diminiſhed the beneficial effects which might reſult from liſtening to the propoſals; but, on the whole, their conduct does not ſtand obnoxious to cenſure. America, by their means, was declared independent: the attempt was new, vaſt in its immediate objects, immenſe in its expected reſults; patience and perſeverance might more than repair the preſent deranged ſtate of their affairs; but in all events, a return to ſubmiſſion would procure immunities and indulgences more than ſufficient to counterbalance temporary diſadvantages. To have ſhrunk from a project ſo mighty, upon the firſt failure in

in arms, or to have been lured from it by the firſt offer of eaſe, would have thrown indelible diſgrace on the character of congreſs.

THE Britiſh commiſſioners acted in the whole tranſaction with dignity and prudence: they made no captious objections, exhibited no contumelious ſuperiority, and deſcended to no low arts. They would not publiſh a counter manifeſto or narrative of the conference, to elucidate paſſages miſtaken or miſrepreſented by the committee; but contented themſelves with publiſhing a ſhort declaration, that, although the congreſs had diſavowed every purpoſe of reconciliation not conſonant with their extravagant and inadmiſſible claim of independency, the commiſſioners were equally deſirous to confer with his majeſty's well-affected ſubjects on the means of reſtoring public tranquillity, and eſtabliſhing a permanent union with every colony, as a part of the Britiſh empire. And they poſitively affirmed, that the king had already directed the completion of thoſe reviſions of powers, and other meaſures of relief, reſpecting which the committee of congreſs had inſinuated that his promiſe was not to be believed [p].

19th Sept. Declaration of the commiſſioners.

MEANWHILE the Britiſh army was reinforced by a detachment convoyed by Sir George Collier. The treaty occaſioned no ſuſpenſion of arms; and the expulſion of the enemy from New York was preſſed with unremitting aſſiduity. The poſſeſſion of Long Iſland rendering Governor's Iſland no longer tenable by the Americans, enabled the Britiſh army to command the city, and the acquiſition of three ſmall iſlands, Barren, Montreſor, and Buchanan, cut off all communication by ſea.

Preparations for the attack of New York.

GENERAL WASHINGTON was anxious to anſwer the wiſhes of congreſs, by maintaining poſſeſſion of this city, but found his difficulties daily increaſing. Inſubordination, deſertion, diſtreſs, and a total evapo-

[p] See the documents at length in Almon's Remembrancer, vol. iv. p. 112. et ſeq.

CHAP. XXIX. 1776.

ration of the original ſpirit of enterprize which animated his troops, rendered his proſpect cheerleſs. The militia were ready to depart, and if they left the army without being paid, the effect of their report would be no leſs injurious to the ſervice than the want of their numbers. The troops in general were importunate and urgent in their demands for money [q]; winter already approached, and the army was only equipped for a ſummer campaign; their clothes, ſhoes, and blankets, were inſufficient; their tents worn out, and inadequate to more than two-thirds of their number: and the ſick amounted, according to the returns, to one-fourth of the army [r]. The general, reaſoning from hiſtory, experience, the advice of friends in Europe, the fears of the Engliſh, and the declarations of congreſs, wiſely reſolved to make the war on his ſide purely defenſive, a war of poſts; to avoid general action, and riſque nothing, except on cogent and inevitable neceſſity. Perſuaded of the preſumption of drawing out young troops into open ground, againſt their ſuperiors both in number and diſcipline, he never (to uſe his own phraſe) ſpared the ſpade and pick-axe. He was, however, embarraſſed in the choice of difficulties: if he concentrated his whole force for defence of New York, he muſt leave the country open for an approach, and render the fate of the army and its ſtores dependent on his ſucceſs in ſecuring the city, or gaining a pitched battle. On the other hand, to abandon an important poſt which many deemed defenſible, and on the works of which much labour had been beſtowed, would diſpirit the troops and enfeeble the cauſe.

7th Sept.

A COUNCIL of general officers unanimouſly concurred in adopting a middle courſe. The army, conſiſting of twenty-three thouſand men, was arranged under three diviſions: five thouſand to remain for protection of the city: nine thouſand to ſecure King's-

[q] Waſhington's Letters, v. i. p. 249. [r] Idem, p. 252.

bridge and its dependencies, as well as other ſtrong poſts, and attack the Britiſh forces, ſhould they attempt a landing on that ſide; the remainder to occupy the intermediate ſpace, and ſupport either.

13th and 15th Sept. Capture of the city.

JUDICIOUS movements of the Britiſh ſhips ſtraitened the operations of the enemy, and prevented the completion of their project for removing the ſtores by ſea. Several veſſels were diſpatched up the Eaſt river, and three men of war proceeded up the North river to Bloomingdale; thoſe on the Eaſt river ſcouring the grounds by a heavy cannonade. General Clinton heading the firſt diviſion of four thouſand men, landed at Kipp's Bay, about three miles from the town, aſſailed the heights where the enemy were ſtrongly poſted, and took poſſeſſion of the high land called the Inclenberg. The Americans had formed ſtrong intrenchments, and were in poſſeſſion of advantageous ground: but they were lured from their hold by a feint, and the inceſſant fire of round ſhot from the ſhips prevented their return. The troops as they landed, poſted themſelves on the high grounds, which ſtretch in an aſcending direction from the ſhore, and the enemy fled with precipitation. A party of ſeventy Heſſians advancing toward New York, fell in with a body of fugitives retreating by the paſs at Bloomingdale, and defeated them after a ſhort ſkirmiſh. General Waſhington, finding all his efforts to rally the army ineffectual, expeditiouſly ſecured a retreat to Morris's heights, where he eſtabliſhed himſelf in ſo ſtrong a poſition as to render an immediate attack imprudent. New York, with the heavy cannon of the enemy, and great part of their ſtores, fell into the poſſeſſion of general Howe. Had he followed the counſel of an able adviſer, and inſtead of directing his immediate attention to New York, thrown his army round King's-bridge, the whole American force would have been inextricably hemmed in. Nor was this his only error: after taking poſſeſſion of the town, he unprofitably loſt time, while general Putnam, with three thouſand

CHAP. XXIX. 1776.

five hundred men, effected his retreat to the main body. The enſuing day a ſkirmiſh took place between ſome Britiſh troops and a party of Americans, who were ſent to take poſſeſſion of a wood; from the vicinity of their intrenched camp, the enemy were enabled to ſtrengthen their party with continued reinforcements; and, in the courſe of the action a great number became engaged on both ſides; at length the Americans retreated [s].

16th Sept.

It is ſet on fire by American incendiaries.

BEFORE the ſurrender of New York, general Waſhington had propounded to congreſs, in a manner which ſhewed that he entertained a predilection for the meaſure, the propriety of burning the city, rather than ſuffering it to remain as winter-quarters for the Britiſh army [t]. Congreſs gave a decided negative to this propoſal [u]; but whether in conſequence of private inſtructions, incompatible with their public orders; whether ſome individuals in the army or town thought proper to act from their own judgment; or whether from the mere malice of lurking incendiaries; the city was ſet on fire in ſeveral places, and, notwithſtanding the ſtrenuous exertions of the military, one-third of the buildings deſtroyed. The conflagration was tremendouſly grand; two churches were burnt, and the American army at Paulus Hook, teſtified their joy at the fall of one of the ſteeples, by three cheers. A few incendiaries, ſeized with combuſtibles, were ſacrificed to the rage of the ſoldiers; nearly two hundred individuals were arreſted on ſuſpicion; but although many cart-loads of pine ſticks daubed at each end with ſulphur, were found concealed in cellars, no circumſtance led to the effectual detection of the conſpirators [x].

21ſt Sept.

[s] An account of this tranſaction may be ſeen in Waſhington's Letters, vol. i. p. 262. In the account of the taking of New York, I have alſo conſulted his Letters, vol. i. p. 258, et ſeq. and the papers laid before parliament.

[t] Waſhington's Letters, vol. i. p. 246. [u] Idem, p. 246.

[x] The very ſlight manner in which Waſhington mentions the affair, (ſee his Letters, vol. i. p. 267) leaves room for ſuſpicion that there was ſome myſtery in the tranſaction to which he was privy, but which was not to be diſcloſed even to all the members of congreſs.

THE

CHAP. XXIX.

1776. Unſucceſsful efforts to bring Waſhington to action.

THE American army being in a ſituation which precluded every hope of ſucceſs, from an immediate attack, the Britiſh general threw up a chain of redoubts on Macgowan's hill, to cover New York, and render it capable of a vigorous defence, even after the greater part of the army ſhould be engaged in diſtant operations. When this work was completed, three brigades of Britiſh, and one of Heſſians, were left under lord Percy, to guard the town, and the reſt of the army proceeded in flat boats and batteaux, through a dangerous paſſage called Hell-gate, to attack the enemy's rear, by the New England road. They landed at Frog's-neck, an iſland connected with the main by a bridge, which was, in the courſe of the day, broken down by the enemy. A movement might eaſily have been made, which would have reduced the Americans to the neceſſity of defending the iſland, or forcing their way through the Britiſh lines, to gain the territory of New England; but general Howe, by rejecting advice to this effect[y], enabled general Waſhington to profit by the advice of general Lee[z], and, contrary to his original intention, abandoned his perilous ſituation. 12th Oct.

WITHOUT deriving any advantage from their laſt movement, the Britiſh forces reimbarked, and proceeded along the coaſt to Pell's Point, where they ought originally to have landed. A ſkirmiſh took place near Eaſt Cheſter, between a diviſion of the American colonel Glover's brigade, and an advanced party of the Britiſh, who ſucceeded in expelling them from a ſtrong poſition[a]. 18th.

THE principal diviſion of the Britiſh army proceeding to New Rochelle, were joined by a ſecond body of foreign troops, under general Knyphauſen, who had landed ſafely at Mill's Creek. The Americans were 21ſt Oct. Battle of White Plains.

[y] It was propoſed to Sir William Howe, to paſs by City Orchard, and thence to Mill's Creek and Rochelle. Lord Howe objected to Mill's Creek, under the notion of its being unſafe for ſhips.

[z] Stedman, vol. i. p. 211. See alſo Waſhington's Letters, vol. i. p. 224.

[a] Stedman. The Americans are ſaid to have been victorious in Waſhington's Letters, vol. i. p. 296.

CHAP. XXIX.

1776.

ſtretched parallel to the Britiſh from Kingſbridge on the right, to White Plains on the left. They were ſeparated by a deep river called the Brunx, on the eaſtern ſide of which their whole army occupied a fortified camp. The royal forces, the left commanded by general Howe, the right by general Clinton, approached White Plains, driving before them ſeveral detachments of the enemy, who created conſiderable alarm in the camp. The tents were ſtanding: the hurry of ſtriking and loading them in waggons, together with the movements of troops backward and forward, in evident irreſolution, preſented an extraordinary picture of confuſion. The number of American forces is calculated at about eighteen thouſand, but diſheartened, inſubordinate, and undiſciplined; the Britiſh were thirteen thouſand, in the utmoſt vigour, ſpirits, and diſcipline. The centre of the enemy was eaſily aſſailable, and ſucceſs in that quarter muſt have been fatal to them; but general Waſhington having, for ſome inexplicable reaſon, poſted four thouſand men in an advantageous poſition on an eminence; general Howe, miſcalculating the importance of the ſituation, directed his principal efforts againſt it: the attack was hardly leſs ſevere and hazardous than an aſſault on the lines; but the victory gained by the intrepidity of the troops was of no effect, as the Americans, after the battle, remained tranquil in their intrenchments [b].

26th.

28th.

AFTER this engagement, ſeveral days were paſſed on both ſides in ſtrengthening their poſitions; the Americans, anxious to render an attack on their lines hopeleſs; the Britiſh general deſirous to make the event certain, by poſſeſſing himſelf of their rear, ſo as to cut off retreat, waited for reinforcements. On their arrival, a diſpoſition was made for an attack; but the weather occaſioned delay, and the Americans

20th. Oct.

[b] It is ſuggeſted, that Waſhington probably poſted this corps on the right of the Brunx to cover the retreat of his army; and if general Howe entertained the ſame notion, it accounts for his attack.

completed

CHAP. XXIX.

completed their fortifications. They did not, however, feel confident in this advantage; for, having learned from a deſerter that general Howe intended to aſſail them the next morning, they ſuddenly evacuated their lines, and retired acroſs the Croton to an impregnable poſition defended in the front by the river, and in the rear by woods and heights. In their retreat, they burned all the houſes and forage on White Plains.

1776. 1ſt Nov.

WEARIED with an unavailing purſuit of an enemy determined to avoid a direct encounter, the Britiſh general engaged in the reduction of Fort Waſhington, an important poſt, ſecuring a communication with the Jerſey ſhore, and effectually commanding the navigation of the North river; well fortified, and not to be approached without expoſing the beſiegers to a heavy fire. The defence was entruſted to colonel Magaw, a native of Penſylvania, who had quitted the bar for the military profeſſion, and was peculiarly qualified for his truſt. The batteries being completed, the garriſon was ſummoned, but gallantly refuſed to ſurrender. The fort was reſolutely ſtormed by the Britiſh army in four diviſions, and after a ſpirited conteſt, the whole garriſon ſurrendered priſoners of war. The loſs of the royal army in killed and wounded amounted to eight hundred; that of the enemy in killed, wounded, and priſoners, to three thouſand three hundred. General Waſhington in perſon conſulted with Magaw, in the morning of the attack, on the means of defence; and, during the action, ſent inſtructions to hold out, and he would detach reinforcements, but the meſſenger arrived too late. The American general highly valued this fort, and deeply deplored the loſs of ſo many men, and ſo great a quantity of artillery and ſtores which he deſpaired of ſeeing replaced [s].

Capture of Fort Waſhington.

15th Nov. 16th.

IMMEDIATELY after this ſucceſs, lord Cornwallis landed on the Jerſey ſhore; the garriſon of Fort Lee,

18th. Succeſsful invaſion of New Jerſey.

[s] Waſhington's Letters, v. i. p. 3[illegible].

on

CHAP. XXIX. 1776.

on his approach, retreated in confuſion, leaving their tents ſtanding, with all their proviſions and military ſtores; the fort was of no conſequence after the loſs of Fort Waſhington[d]. The American leader, conſidering his only chance of ſafety to conſiſt in precipitate retreat, gained, with great expedition, the further ſhore of the Hakenſack river, leaving on the road large quantities of ſtores and artillery. In the ſpace of about three weeks, lord Cornwallis over-ran the whole province of New Jerſey, the American general conſtantly flying before him[e].

17th Dec. Diſpoſition of the Britiſh troops in winter quarters.

THE winter having now commenced, the Britiſh troops were placed in winter quarters between the Delaware and the Hakenſack, the latter of which runs near New York. The enemy, in the mean time, retreated acroſs the Delaware.

Expedition to Rhode Iſland.

DURING the progreſs of lord Cornwallis, general Clinton, in oppoſition to his own judgment, was engaged in an expedition to Rhode Iſland, to which he was diſpatched after the battle of White Plains. He ſtrongly urged the ſuperior advantage of being landed at Amboy, for the purpoſe of co-operating with lord Cornwallis, or proceeding on board lord Howe's fleet to the Delaware, to take poſſeſſion of Philadelphia; but his propoſitions were over-ruled, principally becauſe lord Howe inſiſted on Rhode Iſland as neceſſary for the fleet. On the approach of the Britiſh force, the enemy abandoned the iſland; and the American ſquadron under Hopkins, retired up the river Providence, where it remained blocked up and inactive.

[d] Waſhington's Letters, v. i. p. 518.

[e] From ſome delays made in the courſe of this purſuit, cenſure has been inferred, as if lord Cornwallis was reſtrained, by want of proper activity, or withheld by the commands of his ſuperiors: the chief proof in favour of theſe ſuppoſitions is, that the purſuing army generally arrived at every place from which the enemy retreated, at the moment when they had quitted the ſpot. It is to be obſerved, however, that the Americans had conſtantly ſuch perfect intelligence of the preparations of the royal army, as enabled them to gueſs with certainty the intentions of the general, and ſo change their poſition at the laſt moment. It appears too from the teſtimony of general Waſhington himſelf, that the expeditious progreſs of the Britiſh army was, towards the latter end of November, ſuſpended by bad weather. See Stedman, v. i. p. 219. Waſhington's Letters, v. i. p. 322, 328. et paſſim.

DURING

CHAP. XXIX.

1776.

During the career of ſucceſs, lord Howe and the general iſſued a proclamation, recapitulating their former offers, and promiſing free pardons to all who ſhould, within ſixty days, appear before governors of provinces, or military or naval commanders, and enter into engagements to remain peaceable and obedient ſubjects [f]. The lenity of this meaſure, combined with the progreſs of the army, induced great numbers to accept the proffered benefits, and whole diſtricts renounced their arms. General Waſhington, during his whole retreat, complained, that notwithſtanding his efforts and notices, he was never joined by the militia. The governor, council and aſſembly, and magiſtracy of New York, had deſerted the province: repeated attempts to embody the militia of Philadelphia had failed; and a diſpoſition to meet general Howe with a cheerful welcome became generally apparent. Had the Britiſh army been able to proceed immediately to Philadelphia, it was ſuppoſed the whole continent would have followed the example of that city; but they could not, for want of boats, croſs the Delaware, and were obliged to wait till the ice ſhould be ſufficiently formed to permit a paſſage.

30th Nov. Proclamation by the Howes.

The partizans of congreſs were alſo diſheartened by the capture of general Lee, whoſe experience and talents were more relied on by the Americans, and dreaded by the Engliſh, than thoſe of the commander in chief. His timely diſcernment had already ſaved the provincial army, and although general Waſhington does not appear to have entertained a ſincere friendſhip for him, ſtill, in the diſaſtrous ſituation of the American cauſe, he was ſolicitous for his preſence and aſſiſtance. General Lee, while advancing to join general Waſhington, quitted his camp before Morriſtown on a reconnoitring expedition, and ſtopped almoſt unattended, three miles from the main body of his

13th Dec. Capture of general Lee.

[f] See the proclamation and form of pardon, Annual Regiſter for 1777, p. 294.

CHAP. XXIX. 1776.

troops, for refreſhment: in this ſituation he was ſurpriſed by a detachment of light horſe, under colonel Harcourt, and conveyed with great celerity, through a conſiderable extent of country, to New York. This gallant exploit cauſed no leſs exultation in the Britiſh, than regret in the provincial army. No officer of equal rank being in captivity among the Americans, General Waſhington offered ſix field officers in exchange, but received for reply, that general Lee, being a deſerter from the Britiſh ſervice, could not be conſidered as a priſoner of war. It was ineffectually alleged on the other ſide, that he had reſigned his commiſſion before the commencement of hoſtilities; no arguments or offers could procure his releaſe; he was confined, and vigilantly guarded. Congreſs, exaſperated, reſcinded an eſtabliſhed regulation, in the nature of a cartel, for the exchange of captives, deprived of their parole ſeveral Britiſh officers, and declared, that the treatment experienced by general Lee ſhould form the model of their conduct toward priſoners.

Exertions of congreſs.

In no period of this ſeries of calamities does it appear that the firmneſs of congreſs ever deſerted them, or that they loſt ſight of the great object of their principal leaders, the eſtabliſhment of independence, and total ſeparation from Great Britain. Some of their meaſures were raſh, ſome perhaps impolitic, and others tyrannical; but they ſeem on the whole to have purſued a mode of conduct more dignified than could have been expected in their circumſtances, and ſufficiently wiſe to ſerve as the foundation of pemanent ſucceſs, if they were unexpectedly favoured by fortune.

4th Oct. Articles of confederation.

Soon after the declaration of independence, they voted articles of confederation and union, in which they aſſumed the appellation of "the United States of America," and limited the general dependence of each ſtate upon the deciſions of the delegates in congreſs, without depriving any of their full freedom of action

CHAP. XXIX.

1776.

action in the regulation of their own internal government [g]. They paſſed reſolutions for raiſing by loan, at four per cent. eighty thouſand dollars, for which certificates were to be given, and the faith of the United States pledged to the lenders for both principal and intereſt [h]. As theſe certificates were transferrable, and liable to be depreciated, congreſs by a ſubſequent law, ſubjected perſons refuſing to receive the paper currency for goods or debts, or withholding their property from ſale, or raiſing the price, ſo as to make a difference between caſh and paper, to forfeiture of their goods, loſs of their debts, and a penalty proportioned to the amount of their tranſgreſſion [i]. Another project for raiſing money was a lottery of four hundred thouſand tickets, divided into claſſes, and in which five millions of dollars were diſtributed into prizes [k]. To re-animate the declining ſpirit of the people, congreſs publiſhed an addreſs, in their accuſtomed ſtyle, recapitulating the topics of complaint againſt Great Britain, and fabricating many new charges ariſing out of the mode of conducting the war; vigour and unanimity, they ſaid, would enſure ſucceſs. They boaſted of eſſential ſervices already rendered by foreign ſtates, of poſitive aſſurances of further aid, and ſpoke in contemptuous terms of Britiſh valour. The army, during the whole campaign, they ſaid, had been checked in its progreſs, and had not, till within the laſt two weeks, ventured above ten miles from the fleet: their preſent advances were not produced by any capital ſucceſs, but a ſudden diminution of the American force from the expiration of enliſtments. No terms could be obtained from Great Briton but unconditional ſubmiſſion: but cordial union would check the progreſs of the army, and re-animate the declining cauſe of America [l]. Even when congreſs

3d Oct. Other meaſures.

27th Dec.

18th Nov.

10th Dec.

[g] See Almon's Remembrancer, vol. iv. p. 240.
[h] Idem, pp. 219, 280.
[i] Remembrancer, vol. v. p. 36.
[k] Idem, p. 30.
[l] Idem, vol. iv. p. 270.

Was

CHAP. XXIX.

1776. 20th Dec. They retire to Baltimore.

was compelled to abandon Philadelphia, and take refuge in Baltimore[m], no public act teſtified deſpair, or a deſire to procure immunity by a ſacrifice of public ſpirit. Some individuals joined the Britiſh army, and others maintained a conſtant correſpondence with the generals for terms of ſafety[n], but the whole body, in all their public acts, maintained an unvaried appearance of dignity and ſovereignty.

Miſerable ſtate of the army.

THE army, the ſole effective baſis of their hopes, had been formed in a manner ſo unexpected, and on a plan ſo radically bad, that it could now only be viewed with ſentiments of deſpair. The requiſite interval for effecting a complete reform could not be expected; totally to diſband the exiſting force was impoſſible, without abandoning every hope of final ſucceſs; and yet, every diſaſter produced ſuch great defalcations, that it was reduced to a number not exceeding five thouſand, and even thoſe were impatiently awaiting the day which ſhould ſet them free from their engagement. In the beginning of hoſtilities enthuſiaſm, and a deſire of aſſiſting in a ſtruggle for a ſuppoſed limited object, brought great numbers to the field, who exerted themſelves with ſurpriſing ardour in the hope of abridging the conteſt. Yet even they were not inſenſible of their diſadvantageous ſituation; they ſaw with joy the expiration of their term of ſervice; and general Waſhington, after forming a few ſoldiers, felt the mortification of being obliged to train a new army. His ſecond army differed, however, in many particulars from the firſt; the men were raiſed at the inſtigation of others, rather than by their own impulſe, and brought with them many ſordid views, and perſonal animoſities, which threatened ruin to the cauſe. The parſimony of congreſs, animated in ſome meaſure by a jealouſy of their own general, did not afford ſufficient bounty to recruits, or an

[m] For this purpoſe they adjourned from the 12th to the 20th of December; having in the mean time appointed a ſolemn faſt.

[n] From private information.

adequate

adequate pay to officers: conſequently men who held commiſſions were known to practiſe the loweſt arts to eke out their beggarly ſubſiſtence; they even pilfered the pay and blankets from their own privates. The officers were alſo elected by the troops, which produced a diſguſting equality, no leſs offenſive to manners, than ſubverſive of ſubordination: ſome corps would not vote for officers, unleſs they conſented to join their pay in a common ſtock, from which all drew an equal proportion. This gave riſe to many low practices on the part of officers, and even ſubjected them to the neceſſity of exerciſing their trades for ſubſiſtence; ſo that in preſence of ſeveral perſons of conſideration, one of them was ſeen ſhaving his own corps. The local animoſities which diſtinguiſh every country were violent and rancorous in the American army [o]; and the militia were backward, undiſciplined, and refractory. CHAP. XXIX. 1776.

THE general conſtantly repreſented to congreſs the improvidence of raiſing a military force for ſo ſhort a period as a year; and ſhewed the neceſſity of exerciſing a greater degree of vigour and generoſity, by augmenting the bounties, enforcing the levies, and extending the period of ſervice to three years, or the termination of hoſtilities. In purſuance of theſe repreſentations, congreſs paſſed a vote for raiſing eighty-eight battalions to ſerve during the war, and fixed the proportion to be contributed by each ſtate [p]; a bounty of twenty dollars was offered to each private; portions of land were promiſed to both officers and privates, or their widows or repreſentatives, at the cloſe of hoſtilities [q]; and to preſerve the intended benefit to the objects 16th Sept.

[o] Stedman, vol. i. p. 206.

[p] It was as follows: Virginia and Maſſachuſet's Bay 15 battalions each; Penſylvania 12; North Carolina 9; South Carolina 6; New Hampſhire 3; Connecticut and Maryland 8 each; Rhode Iſland 2; Delaware 1; Georgia 1; New York and Jerſey, being partly in the poſſeſſion of the Britiſh, only 4 each.

[q] The lands were promiſed in the following proportions:

| | |
|---|---|
| To a colonel | 500 acres. |
| Lieutenant-colonel | 450 |

Major

CHAP. XXIX. 1776.

objects of its original deſtination, all aſſignments were declared void. Officers, except generals, were to be appointed by the governments of the ſeveral ſtates; the commiſſions to be iſſued by congreſs. The charge of clothing was however to be deducted from the pay of the privates: and thoſe who had already received a bounty of ten dollars, were, by a ſubſequent reſolution, no leſs impolitic than mean, to be deprived of that ſum in caſe they ſhould re-enliſt [r]. Orders were alſo iſſued for preventing the monopoly of military neceſſaries, for a more effectual ſupply of gunpowder, and for aſſuring its quality. Theſe meaſures were not adequate to the increaſing exigencies; general Waſhington remonſtrated againſt the parſimony of congreſs; and adviſed, that inſtead of eighty-eight battalions, a hundred and ten ſhould be raiſed: but even the ſmaller number could not be procured; the militia could not be ſtimulated into exertion, and the general ſaw that ten days more would terminate the exiſtence of his army [s].

18th Sept.

22d Oct.

20 Dec.

Heſſians ſtationed at Trenton.

GENERAL HOWE, relying perhaps with too ſanguine confidence on the terror which his ſucceſſes would ſpread among the Americans, divided his army into ſmall detachments, far diſtant from each other, forming a chain of communication from the Delaware to the Hakenſack, no leſs than eighty miles. Trenton and Bordenton, the barriers to the Jerſeys, and lying neareſt to the enemy, were defended by Heſſian troops, under colonel Rhalle, and count Donop; theſe foreigners were offenſive to the inhabitants from their inordinate rapacity in purſuit of plunder: they were unacquainted with the language, and incapable of

---

| | |
|---|---|
| Major | 400 acres. |
| Captain | 300 |
| Lieutenant | 200 |
| Enſign | 150 |
| Each non-commiſſioned officer and ſoldier | 100 |

[r] See Almon's Remembrancer.

[s] Waſhington's Letters, vol. i. p. 389.

obtaining

obtaining proper intelligence. By a ſingular improvidence, the poſts of Trenton, Bordenton, White Horſe, and Burlington, were weakeſt in reſpect of troops, and left unſecured from attack by any works of art, not a ſingle redoubt or intrenchment being thrown up to prevent ſurprize; the other poſts, in defiance of reaſon, were made ſtronger in proportion to the increaſe of their diſtance from the enemy, and decreaſe of their probable danger. CHAP. XXIX. 1776.

Surprized by Waſhington.

GENERAL WASHINGTON, well apprized of theſe favourable circumſtances, ſtrongly felt the neceſſity of making ſome brilliant effort, before the expiration of the year, but was at a loſs for the means, particularly boats, when general Arnold viſited the camp, and ſuggeſted a manœuvre equally daring and important[c]. Waſhington readily adopted Arnold's plan; and that enterprizing officer having in twenty-four hours collected a ſufficient number of boats, the commander in chief, by a judicious feint, drew count Donop with his whole force from Bordenton, and dividing his troops into three parties, commanded them to meet on the banks of the Delaware on the night of Chriſtmas, a ſeaſon when cuſtomary feſtivity would add to the effects of the relaxed diſcipline which prevailed among the Heſſians. Although the paſſage was begun as ſoon as it was dark, yet, from the quantity of ice, the artillery did not reach the oppoſite ſhore till three o'clock, and did not take up their line of march till almoſt four. Theſe difficulties, however, and this delay, did not diſhearten Waſhington. He formed his detachment, conſiſting of two thouſand five hundred men, into two diviſions, and each took a different road. As the diſtances were nearly equal, both were directed, immediately on forcing the guards, to preſs into the town, that they might charge before the Germans had time to form. They marched in a violent ſtorm of ſnow and hail; the firſt diviſion arrived exactly at 26th Dec.

[c] From private information.

CHAP. XXIX. 1776.

eight o'clock, the other in three minutes after: the out-guards made little oppoſition, being only few in number; they kept up, however, a conſtant retreating fire from behind the houſes: the main body formed; but colonel Rhalle, and ſeven other officers, being wounded, and the Americans ſurrounding them on all ſides, twenty-three officers, and eight hundred and eighty-ſix men, laid down their arms. The enemy achieved this exploit with no loſs, having only two officers, and one or two privates wounded. The entire force in Trenton conſiſted of fifteen hundred men, forming the regiments of Lanſpach, Knyphauſen, and Rhalle, and a troop of Britiſh light horſe; but on the beginning of the attack, the remainder effected their eſcape by the road toward Bordenton. Theſe would alſo have been captured, had the other two diviſions of the American army been able to execute their inſtructions: general Ewing, who commanded one party, was to have paſſed the Delaware at Trenton ferry, and taken poſſeſſion of the great bridge; general Cadwallader was inſtructed to croſs with the Pennſylvania militia from Briſtol; Ewing found it impoſſible to diſembark any part of his force, from the great quantity of ice; and Cadwallader, after landing part of his infantry, was obliged to re-embark them, becauſe he could not tranſport his artillery. General Waſhington, apprehenſive of an attack from the poſt below Trenton, returned to Morriſtown the ſame evening with the priſoners and artillery he had taken; there were very few ſtores [a].

When general Waſhington undertook this exploit, his chief object was to encourage his partizans, by a ſucceſsful attempt; but he never ſeriouſly thought the military conſequences could anſwer any further purpoſe than to animate the adherents of congreſs, by ſhewing that the redoubted Heſſians, the veterans ſo

[a] This account is principally taken from Waſhington's own Narrative; Letters, vol. i. p. 360.

much

much dreaded in America, were not invincible. The priſoners were uſed for this purpoſe: they were conveyed to Philadelphia, and paraded through all the ſtreets, ſerving at once as evidence of the reality of the victory, and an excitement to military ardour. The general expected that the ſcene of his ſucceſs would have been immediately re-occupied by the Britiſh forces; but finding this expectation not accompliſhed, ventured again to croſs the Delaware, with the ſame diviſion of his army, not deterred by the quantity of ice already formed, nor by the fear of difficulty and fatigue[1]. At Trenton he made a muſter of his force; and the perſuaſions of officers, and an advance of ten dollars to each, could only prevail on about half of thoſe whoſe term of ſervice was expired, to engage for ſix weeks longer.

CHAP. XXIX. 1776.

1ſt Jan. 1777.

MEANWHILE the re-appearance of general Waſhington on that ſide of the Delaware, had alarmed the Britiſh general; and lord Cornwallis, who had already reached New York, on his way to England, was ordered back to head the Britiſh troops in the Jerſeys: he ſpeedily effected a junction with general Grant, and found Waſhington, who had retired from Trenton, poſted on ſome high grounds: a cannonade was carried on till night, and lord Cornwallis expected to renew the attack in the morning; but the wary leader of the American troops, perceiving his opponent to be much ſuperior in numbers, and hoping to ſurprize Princeton, where he rightly conjectured a ſmall force only was left, quietly diſpatched his baggage to Burlington ſoon after dark, and renewing his fires at midnight, and leaving guards at the bridge in Trenton, marched off ſilently by a circuitous and dangerous route. About ſun-riſe he reached Princeton, where he found only three regiments and three troops of light horſe, under the command of colonel Mawhood, who had juſt begun his march to join lord Cornwallis.

Lord Cornwallis returns to the army.

2d Jan.

3d Jan. Waſhington ſurpriſes Princeton.

[1] See Waſhington's Letters, vol. i. p. 303.

CHAP. XXIX. 1777.

The colonel at firſt miſtook the advanced guard of the enemy for Heſſians, but ſoon recognizing his miſtake, charged with great impetuoſity: the van of the Americans was diſordered; the ſeventeenth regiment, led by captain Scott, preſſed forward with fixed bayonets, drove the enemy into a ravine, and finding themſelves unable effectually to contend againſt numbers ſo much ſuperior, cut their way through, and purſued their march to Maidenhead, a village ſituated between Princeton and Trenton. The other two regiments, unable to make a ſimilar progreſs, retreated to Brunſwick with a loſs of nearly half their force: the Americans took poſſeſſion of Princeton, where they acquired ſome blankets, ſhoes, and a few other trifling articles, burned the hay, and deſtroyed ſome other effects: they captured alſo two braſs field pieces, but, for want of horſes, could not carry them away: the number of priſoners was near eight hundred, among whom were fourteen officers, all Britiſh.

At day-light lord Cornwallis diſcovered the retreat of the American army, and entertaining apprehenſions for the ſafety of Brunſwick, which was in a defenceleſs ſituation, haſtened to its relief. Had the American general made this attempt, he would have deſtroyed all the Britiſh ſtores and magazines, and taken the military cheſt, containing ſeventy thouſand pounds: his original plan was to have puſhed on to Brunſwick; but he did not know the military cheſt was there; and the haraſſed ſtate of his forces, (many of whom had not ſlept for thirty-ſix hours,) and the danger of loſing the advantage already gained, by aiming at too much, induced him, by the advice of his officers, to relinquiſh the attempt. This change of determination may be principally imputed to the gallant reſiſtance made by colonel Mawhood, which occaſioned ſuch delay, that before the purſuit was finiſhed, the rear of the Engliſh was in ſight; general Waſhington, however, having had the precaution to break down the bridge over Stony

Stony brook, obtained ſufficient time to retreat unmoleſted to Pluckemin [y]. CHAP. XXIX.

1777.

LORD CORNWALLIS with great difficulty purſued the track of the Americans, and was obliged to halt at Brunſwick to refreſh, and repoſe his army. General Waſhington, perceiving that the Britiſh had totally evacuated Trenton and Princeton, took the opportunity, while lord Cornwallis remained at Brunſwick, to over-run all Eaſt and Weſt Jerſey, ſpreading his army over the Rariton, and penetrating into Eſſex county, where he made himſelf maſter of the coaſt oppoſite to Staten Iſland, by ſeizing Newark, Elizabeth Town, and Woodbridge. His head-quarters he fixed at Morriſtown, ſituated amongſt hills, extremely difficult of acceſs. A fine country was in his rear, whence he could draw ſupplies, and through which he could at any time ſecure an eaſy paſſage over the Delaware. Theſe judicious movements not only ſaved Philadelphia and Pennſylvania, but recovered great part of the Jerſeys, in defiance of an army ſuperior in diſcipline, reſources, and numbers. Of all their recent extenſive poſſeſſions in the Jerſeys, the Engliſh now retained only the poſts of Brunſwick and Amboy; the firſt ſituated on the banks of the Rariton; the ſecond on a point of land at its mouth. And recovers the Jerſeys.

THUS the campaign of 1776 concluded, and the review affords few motives of ſatisfaction: the progreſs of the Britiſh arms was arreſted, and the reſult of previous ſucceſſes raviſhed from their graſp by an enemy in every reſpect inferior. The tardy commencement of the campaign gave time for congreſs to iſſue their declaration of independency, which fruſtrated all attempts at conciliation; but had general Howe, who poſſeſſed abundant means, begun his operations earlier, and with vigour, the violent party would not have carried their hardly-conteſted point, nor have obtained the ſanction of the people in rejecting the proffered Obſervations on the campaign.

[y] Principally from Waſhington's Letters, v. ii. p. 3.

CHAP. XXIX.

terms of peace. The languid purſuit of the Americans acroſs the Jerſeys has been perhaps more blamed than it deſerves: it appears from general Waſhington's letters, that the progreſs of the Britiſh troops was impeded at the cloſe of November by bad weather, and no delay took place afterwards which could be avoided: the Americans poſſeſſed the advantage of moving a light unincumbered body of troops over a territory with which they were perfectly acquainted. The generals have been frequently accuſed of neglecting opportunities to gain the rear of the American army, and thus completely overwhelm them; but ſuch allegations are always to be received with caution; a movement of the kind appears perfectly eaſy to men who merely reaſon, and is eaſily demonſtrable on paper, but if attempted in the field, might involve a victorious army in inevitable ruin, or at beſt be fruſtrated by the moſt ſimple dictates of the momentary exigency. No adequate vindication, however, appears for the ſtrange manner in which the troops were poſted in the Jerſeys: general Howe adopted the meaſure in contradiction to his better judgment *, but his error is in every point of view inexcuſable. Equally culpable was the ſhameful neglect of caution and diſcipline which facilitated the ſurprize at Trenton, and for which colonel Rhalle paid with his life. But Rhalle alone was not blameable: general Grant, his ſuperior in command, omitted the important duty of viſiting his poſts, giving his orders, and perſonally inſpecting their execution. After the event at Trenton, the Britiſh army ſeems to have been paralyſed by alarm, incapable of reſolute meaſures for aſſailing a foe who ſtill held them in terror, or for prudent defence of a province, which no force poſſeſſed by the Americans could have wreſted from them.

* He was remonſtrated with on the ſubject, and a few days before Waſhington's attack wrote to a general officer in theſe terms; "I have been prevailed upon to run a chain acroſs Jerſey; the links are too far aſunder." From private information.

THE

CHAP. XXIX.

THE pacificatory powers were not always uſed with judgment: the proclamations and overtures for conciliation were wiſe and ſufficiently dignified; but when the moſt conſiderable perſons in New York, Queen's County, Long Iſland, and ſeveral towns, ports, and inferior places, preſented petitions to the commiſſioners, profeſſing an acknowledgment of the ſupremacy of the king, and the conſtitutional authority of Great Britain; and when they followed theſe declarations by raiſing a militia, and a conſiderable body of troops for the royal ſervice, no attention was paid to their requeſt for a reſtoration of thoſe rights which the law and the proclamation intitled them to claim. In ſuch a period, when the public faith was to be vindicated, and a good example preſented, verbal diſquiſitions ſhould not have been aſſiduouſly ſought; and if declarations, attended by ſuch acts, were not ſo forcibly worded as the friends of parliamentary authority might wiſh, it was nevertheleſs their intereſt, and their duty, to preſent every facility to an accommodation, which was of more importance than a long ſeries of victories [a].

BUT if this neglect was prejudicial to the Britiſh cauſe, how much more fatal was the deteſtable licentiouſneſs in which the military were permitted to indulge in the Jerſeys. Plunder and wanton inſult diſguſted and incenſed the natives, and afforded opportunities of reproach, which were not neglected by the partiſans of America [b]; details of each ſpecific wrong were taken on oath, and publiſhed in the news-papers, to irritate the people againſt the king and the Britiſh nation. Thus the minds of the loyal received a contrary impulſe, and many in deſperation joined the Americans [c]. In vain will it be alleged, in palliation of theſe undenied enormities, that it was impoſſible to

[a] See Annual Regiſter, 1777, p. 10.

[b] See Galloway's Letters to a Nobleman on the Conduct of the War in the middle Colonies, p. 12. Washington's Letters, v. ii. p. 2.

[c] Galloway's Letters to a Nobleman, p. 43.

CHAP. XXIX. 1777.

reſtrain the furtive and licentious diſpoſition of the foreign mercenaries; were this allegation true, it proves only the impolicy of taking up winter-quarters with ſuch troops, in a place where it was deſirable to keep alive the ſpirit of loyalty: but on the contrary, Rhode Iſland, under the more diſcreet and correct management of lord Percy and general Clinton, exhibits not a ſingle inſtance of complaint.

## CHAPTER THE THIRTIETH.

1776—1777.

*Meeting of parliament.—King's ſpeech.—Debates on the addreſs.—Differences in opinion among the members of oppoſition.—Debate on the proclamation at New York.—Partial ſeceſſion of oppoſition.—Receſs.—Attempt to burn the royal arſenals.—Bill for ſuſpending the habeas corpus.—Amended in the Committee.—Act for iſſuing letters of marque.—Lord Chatham's motion reſpecting America.—Debates on taxes and ſupplies.—King's meſſage reſpecting the arrears of the civil liſt.—Supply granted.—Debate and proteſt in the lords.—Speech of Sir Fletcher Norton on preſenting the bill to the King—he is thanked by the houſe—debate on the ſubject—his conduct more deciſively approved.—Cloſe of the ſeſſion.—King's ſpeech.—State of the public mind.—State and views of foreign powers with reſpect to Great Britain.*

CHAP. XXX.

1776.

31ſt Oct. Meeting of parliament. King's ſpeech.

A TEMPERATE ſpeech from the throne opened the ſeſſion of parliament. The king declared, nothing could have afforded him ſo much ſatisfaction as to ſtate, that the troubles by which the American colonies had been ſo long diſtracted were at an end; and that the unhappy people, recovered from their deluſion, had delivered themſelves from the oppreſſion of their leaders, and returned to their duty: but ſo daring and deſperate was the ſpirit of thoſe leaders, whoſe objects had always been dominion and power, that they had openly renounced all allegiance to the crown, and all political connexion with this country; rejected, with circumſtances of indignity and inſult, the means of conciliation, and preſumed to ſet up their rebellious confederacies for independent ſtates. If their treaſon was ſuffered to take root, much miſchief muſt grow from it to the ſafety of the loyal colonies, the commerce of the kingdom, and indeed *to the preſent*

CHAP. XXX. 1776.

*ſcnt ſyſtem of all Europe.* The ſucceſs of the Britiſh arms gave the ſtrongeſt hopes of deciſive good conſequences; but notwithſtanding this fair proſpect, it was neceſſary to prepare for another campaign: he recapitulated the pacific aſſurances of the European powers, and obſerved, he could have in this arduous conteſt no other object but to promote the true intereſt of his ſubjects. No people ever enjoyed more happineſs, or lived under a milder government, than the revolted provinces, a fact proved by their progreſs in the arts, their numbers, their wealth, and ſtrength by ſea and land, which inſpired an over-weening confidence. He was deſirous to reſtore to them the bleſſings of law and liberty, equally enjoyed by every Britiſh ſubject, which they had fatally and deſperately exchanged for the calamities of war, and the arbitrary tyranny of their chiefs.

Amendment to the addreſs moved.

AN amendment to the addreſs was moved by lord John Cavendiſh, and ſeconded by the marquis of Granby, totally altering all the ſentiments of the original. It began by affirming, that the diſaffection and revolt of a whole people could not have taken place without great errors in conduct toward them. Theſe errors were imputed to a want of ſufficient information in parliament, and a too implicit confidence in miniſters. Hence ſchemes for the reduction and chaſtiſement of a ſuppoſed inconſiderable party of factious men, had driven thirteen large provinces to deſpair: a hearing had been refuſed to the reiterated complaints and petitions of the coloniſts; and commiſſioners, nominated for the apparent purpoſe of making peace, were furniſhed with no legal power but that of giving or withholding pardons at pleaſure. His majeſty, inſtead of ſending out commiſſioners, according to the promiſe in his ſpeech at the beginning of the laſt ſeſſion, as ſpeedily as poſſible, had not diſpatched them till ſeven months afterward; conſequently the inhabitants of the colonies, apprized that they were put out of the protection of government, and ſeeing no means provided

vided for their return, were furniſhed with reaſons but too plauſible for renouncing dependence on the crown. "We underſtand," the amendment proceeded, "that, amidſt the many diſaſters and diſgraces attending his majeſty's arms in America, an advantage has been gained in the province of New York, which, if wiſely, moderately, and providently uſed, may produce happy effects. Nothing ſhall be wanting on our part to forward reconciliation, by laying down permanent grounds of connexion between Great Britain and her colonies, on principles of liberty, and terms of mutual advantage. We ſhould moſt heartily congratulate his majeſty, on any event leading to the great deſirable end, of ſettling a durable peace by the reſtoration of the ancient affection which happily ſubſiſted in former times. We ſhould regard, with ſhame and horror, events tending to break the ſpirit of any large part of the Britiſh nation; to bow them in abject, unconditional ſubmiſſion to any power; annihilate their liberties, and ſubdue them to ſervile principles and paſſive habits, by the mere force of foreign mercenary arms; becauſe, amidſt the exceſſes and abuſes which have happened, we muſt reſpect the ſpirit and principles operating in theſe commotions. Our wiſh is to regulate, not to deſtroy them; for, though differing in ſome circumſtances, thoſe very principles evidently bear ſo exact an analogy with thoſe which ſupport the moſt valuable part of our own conſtitution, that it is impoſſible, with any appearance of juſtice, to think of wholly extirpating them by the ſword, in any part of his majeſty's dominions, and eſtabliſhing precedents the moſt dangerous to the liberties of this kingdom."

1776.

THIS intemperate amendment was ſupported by arguments equally violent and unfair. The value of the conqueſts made by the Britiſh arms was ſtudiouſly depreciated. The victory at Long Iſland was not a matter of triumph; the iſland itſelf was a mere outpoſt to New York, as New York was an outpoſt to America, and it would have been the extreme of folly and rathneſs

CHAP. XXX. 1776.

raſhneſs in the provincials to attempt maintaining it. The uſe of the word treaſon, in the king's ſpeech, afforded much ground for reprehenſion, for ſtrenuous vindication of the Americans, and prognoſtics of final failure. "Alas! Sir," Mr. Wilkes exclaimed, "what we call treaſon and rebellion, and they juſt reſiſtance and glorious revolution, has taken root, a very deep root indeed, and has ſpread over almoſt all America. The loyal colonies are three, the free provinces thirteen." The declaration of independence, he obſerved, was not entirely unexceptionable, but the Americans were driven to it by rigorous perſecution. We had hired foreign troops to fight againſt them, and they had no reſource but throwing off the yoke, and inviting foreign aid. Miniſters might ſafely predict that the Americans would declare themſelves independent, when they knew that the unjuſt and ſanguinary meaſures they intended to purſue muſt occaſion the event. The Jeſuits riſqued nothing when, in 1610, they propheſied the death of the beſt prince that ever reigned in Europe, within that year; they verified it by employing Ravillac to aſſaſſinate their ſovereign. The coloniſts followed the example of England againſt James II. When he quitted the kingdom, they declared the throne abdicated, and choſe another king. When the late ſevere laws were paſſed againſt the Americans, they were thrown into anarchy; they declared we had abdicated the government, and therefore they were at liberty to chuſe a government for themſelves. "The ſpeech mentions a diſcovery of the original deſigns of the leaders of the Americans. In God's name, who made the leaders? How came they to be ſo? If you force men together by oppreſſion, they will form into bodies and chuſe leaders. Mr. Hancock was originally a merchant of credit and opulence: ſuch men are not very prone to a change of government. A few old women have ſaid, that the civil war of laſt century was contrived by Cromwell; the firſt oppoſition to Charles I. was begun in order to advance

advance him to the protectorſhip. A ſimilar ſagacity and penetration has now happily diſcovered the original views of thoſe who are leaders of the Americans. We have been two years engaged in a ſavage and piratical, as well as unjuſt war; every demand of government has been complied with, and not a ſingle province has been hitherto recovered; on the contrary, the evil grows more deſperate; laſt year only twelve colonies petitioned the throne; this year, by the acceſſion of Georgia, we have ſeen a federal union of thirteen free and powerful provinces aſſerting their independency as high and mighty ſtates, and ſetting our power at defiance. This was done immediately after the ſafe landing of your whole force, with circumſtances of ſpirit and courage, to which poſterity will do juſtice." The line of conduct recommended by the amendment, was conſidered as not ſufficiently extenſive to ſave the empire. To preſerve, even for a ſhort period, Canada, or the Weſt India Iſlands, or to recover any part of the immenſe territory lately loſt, the fleets and armies muſt be recalled, all the acts paſſed ſince 1763 be repealed, and the charters reſtored. We might then, if they could forgive and truſt us, treat with the Americans on fair and equal terms, without the idea of compulſion, and a foundation might be laid for reſtoring peace, internal tranquillity, and unity to this convulſed and diſmembered empire. If conqueſt or abandonment were the only alternatives left, America ſhould be abandoned. The benefits hitherto reſulting from the poſſeſſion of America had been extent of trade, increaſe of commercial advantages, and a numerous people growing up in the ſame principles and ſentiments with ourſelves. All theſe muſt be loſt if America was conquered; poſſeſſion muſt be ſecured by a large ſtanding army; which army muſt be cut off from the intercourſe of ſocial liberty in Great Britain, and accuſtomed, in every inſtance, to bow down and break the ſpirits, trample on the rights, and live on ſpoils cruelly wrung from the ſweat and labour of their fellow

CHAP. XXX. 1776.

CHAP. XXX. 1776.

low ſubjects; ſuch an army, ſo employed and ſo paid for ſupporting ſuch principles, would be a proper inſtrument to effect purpoſes of a greater, or, at leaſt, more favourite importance; points more immediately hoſtile to the liberties of the country.

THE interpoſition of the Bourbon family was pronounced inevitable, no leſs ſpeedy than certain; colonel Barré peremptorily aſſerted, that a war of the moſt ſerious kind was impending, a war from the united powers of France and Spain. Mr. Wilkes ridiculed the reliance on the pacific declarations of our natural enemies. Has fate ordained, he ſaid, that we ſhall neither poſſeſs capacity to profit by the example of others, nor even by our own experience? In the very firſt year of the preſent reign, in September 1761, the Gazette told us, "the catholic king had, at no time, been more intent on cultivating a good correſpondence with England, than in the preſent conjuncture;" a declaration received ſeriouſly here, held out as part of the court creed, and laughed at by all the reſt of Europe. In the beginning of the following January, without the occurrence of new facts of any moment, war was declared by England againſt Spain. Will the plauſible, ſmooth-tongued French, likewiſe be able to lull us into a fatal ſecurity againſt the evidence of all hiſtory?—Mr. Fox denied the principle, that it was repugnant to the intereſts of France and Spain to permit the independence of America; ſuch an aſſertion was contrary to common ſenſe. Is not the diviſion of an enemy's power advantageous? Is not a free country, engaged in trade, leſs formidable than the ambition of an old corrupted government, their only formidable rival in Europe?

IN the courſe of the debate, ſeveral animadverſions were made on a large creation of peers during the receſs, and on the iſſuing preſs-warrants to man the navy, which had occaſioned ſome diſcuſſions between the admiralty and the city. The king's, or, as it was for form's ſake termed, the miniſter's ſpeech, was reprobated

reprobated as an entire compound of hypocriſy, an infamous, groundleſs libel, fabricated by a tyrannical faction, againſt ſome of the moſt valuable members of the Britiſh community. An inſidious, hypocritical ſpeech, that held out law and liberty at the point of the ſword, and, like a deceptious mirror, reflected a falſe image of truth. CHAP. XXX. 1776.

GOVERNMENT was defended by lord North and lord George Germaine, but they did not traverſe the extenſive field, to which they were challenged by the declamations of oppoſition. The miniſter denied the charge of withholding information; he always communicated as much as he could conſiſtently with ſafety. Lord George Germaine ſaid, that even the American ſtatements of the propoſitions made by general Howe, proved that he was eager for the means of peace and conciliation; but Waſhington was adverſe. The forcible and ſatisfactory aſſurances of the court of France, afforded no reaſon to doubt their pacific intentions; ſhould it nevertheleſs prove otherwiſe (and the miniſter, not pretending to be a prophet, would not anſwer for the events of the next ſix months) Great Britain was prepared to cope with any enemy. The notion, that the houſe of Bourbon ſhould engage in war to aſſiſt America, was treated with great diſdain: "Would thoſe countries," lord George Germaine aſked, "blind to their own intereſts, wiſh the ſpirit of independence to croſs the Atlantic? Could they be exempt from fear that their own coloniſts would catch fire at the unlimited rights of mankind; and prefer that language to ſlavery and digging gold? And would not great danger ariſe from the vicinity of powerful independent ſtates, freed from European controul?"

LORD NORTH repelled the charge of hypocriſy, ſo freely advanced againſt that part of the ſpeech, which ſtated the king's deſire to reſtore to the Americans law and liberty. Inſtead of being abſurd or hypocritical, it was ſupported by fact and ſound logic; law

CHAP. XXX. 1776.

and liberty were fled from America, but the debate of the day had fully proved, they had not quitted this country. Thoſe who had thrown ſo many reflections on adminiſtration, would have found a grievous difference, had they dared to make ſo free with the congreſs. It had always been the wiſh of adminiſtration to bring matters to an early iſſue, and avoid bloodſhed; to uſe ſucceſs and victory with prudence and moderation, rather as means of cementing laſting unity and amity, than as objects of triumph, inſtruments for forging the chains of ſlavery, or excuſes for tyranny and oppreſſion.

Rejected.

THE amendment was negatived[d].

In the houſe of lords.

IN the houſe of lords, the earl of Carliſle moved the addreſs; and an amendment, exactly ſimilar to that of lord John Cavendiſh, was propoſed by the marquis of Rockingham. The debate was no leſs violent than in the lower houſe, but not diſtinguiſhed by much novelty of argument or aſſertion. The friends of adminiſtration obſerved, that the daring and open hoſtilities which preceded the declaration of independency, would never have happened, if a diſobedient traitorous ſpirit had not been fomented, nouriſhed, and ſtrengthened by a party in Great Britain, who, deſerting its intereſts, ſhamefully ſacrificed them to perſonal views of faction and ambition. The ground taken in the amendment, became dangerous in proportion to its plauſibility; for it was, indeed, hardly conceivable, that the people of America, who owed ſo many obligations to the parent ſtate, who were at once bound to it by every tie of gratitude and intereſt, and every bond of union which nature and affection could render ſacred, would break and cancel them all without real provocation: but the event had proved the contrary; and as oppoſition was formerly founded on the idea, that America never did aim at independency; as the queſtion had totally

[d] 242 to 87.

altered

altered its nature, the unanimity ought to be as complete, as it would be deciſive in reſtoring peace to a diſtracted and divided empire. Great Britain, deprived of the wealth and ſtrength acquired from the colonies, would loſe her importance in the ſyſtem of Europe, and, in the end, become a province of the firſt ambitious power who might think proper to attack her. Great Britain and Ireland, inferior in population, and divided by ſeas, could not withſtand the formidable power of France, if diveſted of the ſources of wealth and ſtrength derived from the colonies, which muſt be the reſult of tamely permitting America to remain independent. CHAP. XXX. 1776.

THE lords in oppoſition, although they agreed in reprobating the king's ſpeech, and vilifying the conduct of miniſtry, were not in uniſon in other reſpects. Lord Shelburne called the ſpeech a piece of metaphyſical refinement, framed for deluſion; the defence made to continue the impoſition, was nothing more than a ſtring of ſophiſms, no leſs wretched in their texture, than inſolent in their tenor. In an analyſis, he ſhould prove this compoſition a mixture of the moſt unqualified abſurdity, treachery, cruelty, hypocriſy, and deceit. He deſcanted on the different paragraphs of the ſpeech, pronouncing them all utterly falſe, differing only in this, that ſome of the falſehoods were fallacious, ſome ſpecious, ſome groſs and notorious. Differences of opinion among the oppoſition.

THE duke of Richmond declared himſelf morally certain, that all attempts to recover America would be vain; the moment was paſſed: ſhe was irretrievably loſt; and it would be much better to have the people friends than enemies, even at the price of acknowledging their independence. Lord Sandwich conſidered ſuch doctrine derogatory to the honour, diſgraceful to the character, and deſtructive to the intereſts of England. He would hazard every drop of blood, and the laſt ſhilling of the national treaſure, rather than Britain ſhould be ſet at defiance, bullied, and dictated to by her ungrateful and undutiful children, her diſobedient

CHAP. XXX. 1776.

and rebellious ſubjects: and lord Shelburne ſaid, he never meant this country ſhould relinquiſh its right of commercial controul over America; on the contrary, the power of regulating the colonial trade, was the very eſſence of the connexion between the countries; even were this regulatory power, in its moſt full and extenſive ſenſe, acknowledged by the colonies, ſomething more was to be expected; for the national debt was truly and equitably the debt of every individual in the whole empire, whether in Aſia, America, or nearer home.

AFTER a long diſcuſſion reſpecting the pacific intentions of France and Spain, and the ſtate of the navy, the amendment was negatived[c], but entered on the journals as a proteſt, and ſigned by fourteen peers.

6th Nov. Debate on the proclamation at New York.

LORD JOHN CAVENDISH again ſolicited the attention of the houſe, by producing a copy of the declaration iſſued by lord Howe and his brother, on taking poſſeſſion of New York, which had been recently publiſhed in the news-papers. The authenticity of the proclamation being avowed by the chancellor of the exchequer, and ſecretary of ſtate for America, lord John Cavendiſh, though aſtoniſhed at the contents, and the extraordinary manner in which they were imparted to the public, congratulated the houſe on the gleam of peace and conciliation. Parliament had been treated with the moſt mortifying contempt; commiſſioners were ſent out with powers only to grant pardons, and receive ſubmiſſions; yet, wonderful to relate, parliament is informed, through the channel of a news-papers, that thoſe commiſſioners are authorized to anſwer directly for the ſovereign, and obliquely for the concurrence of that of the two other branches of the legiſlature, in reviſing all acts, by which the Americans are aggrieved. Parliament were reduced to cyphers in the whole conduct of the buſineſs; they

[c] 91 to 26.

were

were called on, by way of requiſition, to ſanction acts which would render them abhorred by their fellow ſubjects in every part of the empire; but when an appearance of lenity is ſhewn, all the merit was attributed to the king and his miniſters. Yet if the propoſals were ſincere, he would not found objections on mere punctilios; to give the negotiation more weight and efficacy, parliament ought, as the firſt proof of a pacific diſpoſition, to co-operate in ſo deſirable a work. He intended therefore to move, that "the houſe ſhould reſolve itſelf into a committee, to conſider of the reviſal of all acts of parliament, by which his majeſty's ſubjects in America thought themſelves aggrieved." This motion, if acceded to, would remove the ſtrong impreſſion exiſting in the minds of the Americans, that, under every miniſterial promiſe, lurked treachery, deceit, impoſition, or an inſidious intention to divide, in order the more eaſily to break their ſtrength, and ſubdue them.

CHAP. XXX. 1776.

MR. BURKE, who ſeconded the propoſition, ſpoke with enthuſiaſm of the *exalted heroiſm* of an old woman, found in a cellar at New York, beſmeared and ſmutted all over, marked with rage, deſpair, and reſolution; who had buried herſelf in combuſtibles to fire the city, and periſh in its aſhes. He called the conflagration created by American incendiaries, an interpoſition of Providence, to arreſt the progreſs of Britiſh arms in the moment of ſucceſs.

ALTHOUGH two Gazettes had been publiſhed, it was ſaid, the miniſters had not in either allotted a place to the moſt important paper which had appeared during the conteſt. Parliament was trifled with by the concealment of ſuch a diſpatch, and the king was either made to guide their proceedings, or give inſincere promiſes. The proclamation was, in fact, a mere mockery: the departure of the commiſſioners having been purpoſely delayed till the declaration of independence fruſtrated their pacific propoſals. The only terms really intended were, "Lay down your

CHAP. XXX. 1776.

arms, and then we will do juſt as we pleaſe:" the moſt cruel conqueror, Mr. Burke obſerved, could not ſay leſs: and if a conqueſt had been gained over the devil himſelf in hell, a ſmaller portion of liberality could not have been ſhewn.

THE miniſtry, declining to inveſtigate critically, literally, or philologically, the paſſage in the declaration which gave riſe to the preſent motion, defended themſelves on each of the points urged by oppoſition, with conſiderable addreſs. The proclamation was not, as had been ſuppoſed, received with the diſpatch from general Howe; but was left at Falmouth with diſpatches of inferior importance, and being tranſmitted to the metropolis in the uſual way, did not arrive till the Extraordinary Gazette was already publiſhed; nor did the miniſters conſider it of importance enough to claim a place in the Gazette; but it was not concealed, many copies having been affixed to the walls of New York, and diſperſed through America. The king, in promiſing a reviſion of the obnoxious acts, ſpoke only as the head and mouth of the nation and the legiſlature; but the declaration of independence rendered the parliamentary interference, propoſed by the motion, utterly improper. Was it conſiſtent with common ſenſe to aim at obliging thoſe, whoſe principal object was to render themſelves free from all connexion with Great Britain, as their ſuperiors? The queſtion of independency muſt be ſettled as a preliminary; if the Americans adhered to that, it would be vain to think of diſcuſſing any other. The right to tax could not be agitated as the means of reconciliation; nor would the reſtitution of charters give ſatisfaction to the American inſurgents. They openly declared themſelves as unwilling to ſubmit to the terms of their charters, as to the Boſton acts: while the ſpirit of independency remained unſubdued, reſolutions or reviſions would not be efficient means of conciliation. To treat, while they avowed their ſovereignty and independency, or form legiſlative regulations for thoſe who,

who, both as ſubjects and independent ſtates, had ever diſputed the power and authority of parliamentary legiſlation, was impoſſible. Let them acknowledge the right, point out the conſtitutional abuſe of it, and the grievances flowing from that abuſe, no objection ſhould be made to the propoſed committee, or to the adoption of efficacious and ſpeedy meaſures, not only for remedy of real grievances, but even, in ſome inſtances, for accommodating their prejudices. The Americans, it was obſerved, had no reaſon to wiſh for a continuance of their preſent government. The congreſs tyrannized over the people; their power and practice of puniſhment by impriſonment were utterly incompatible with every idea of freedom. The liberty of the preſs was annihilated; a printer, who dared to publiſh a ſentiment or fact contrary to their ſyſtem and intereſts, would be inſtantly ruined; nor was the freedom of private letters, or private converſation, tolerated. The ſucceſs of the royal army might, it was rationally hoped, diſſolve this horrible tyranny, and enable the oppreſſed Americans ſafely to avow their real opinions, and without danger, return to their duty.

CHAP. XXX. 1776.

THE motion was complained of as a ſurprize, a ſudden and unexpected manœuvre, no buſineſs of conſequence being expected before the receſs; and it was rejected [f].

FROM this time, many members of oppoſition, particularly the Rockingham party, withdrew from the houſe of commons whenever any queſtion relative to America was to be diſcuſſed: to make their conduct more conſpicuous, they generally attended the private buſineſs, and then, in a formal manner bowing to the chair, retired. Such receſſions were not new; nor have they ever been known to produce any good effect; the act of retaining a ſeat in the ſenate, and yet oſtentatiouſly refuſing to fulfil any of its duties, is in itſelf

Partial receſſion of oppoſition.

[f] 109 to 47.

CHAP. XXX. 1776.

of a nature to demand vindication or apology: the objections are broad and eaſy of comprehenſion; the juſtification, if valid as to political circumſtances, is ſubject to many cavils, ariſing from the perſonal motives which may be imputed to individuals. In the preſent caſe, the meaſure wanted the reſpectability which reſults from unanimity; and the reaſons advanced in its defence were not ſufficient.—"All oppoſition to the meaſures of government," it was ſaid, "particularly with reſpect to American affairs, was not only vain and fruitleſs, but from the overbearing force which ſupported the miniſters in every queſtion, it became worſe; it became frivolous and contemptible. It was too degrading, to be the continual inſtruments of oppoſing the ineffective weapons of reaſon and argument to the deaf inſolence of an irreſiſtible power, which had long determined on its conduct, without the ſmalleſt regard to either. It was impoſſible to ſave a people againſt their will; and the minority had for a ſucceſſion of years, repeatedly apprized and warned the nation of the dangers attending the ruinous meaſures then purſued, and of the fatal precipice that muſt terminate that mad career, in which they were blindly and deſperately driven. The people, deluded by various arts, and influenced by paſſion and prejudice, cordially acquieſced in the opinions of adminiſtration, and it was not conſiſtent for thoſe who regarded their honeſt fame beyond all other conſiderations, excepting their principles and honour, to incur the odium of their fellow citizens, by ineffectual efforts to ſerve them. They would therefore, preſerving their principles ſtill unſhaken, reſerve their activity for rational endeavours, when the preſent delirium might be ſo far allayed, either with the people or the miniſters, as to afford room for its operating with advantage[g]." Theſe pretences, however loftily

[g] Annual Regiſter for 1777, p. 49, 50. See alſo Burke's Letter to the Sheriffs of Briſtol.

founded,

CHAP. XXX. 1776.

ſounded, beſpeak only the rage and mortification of a party diſappointed in a conteſt for power; if the meaſures purſued by adminiſtration were ſucceſsful and popular, oppoſition was needleſs, but a formal ſeceſſion, marked neither wiſdom nor magnanimity. Removed from the ſenate, the proper ſphere of action and true ſource of honourable diſtinction, the moſt eloquent and diſcerning loſe their pre-eminence, and become confounded with the ignorant; the public rarely feel the want of individuals ſo much, as to demand reluctant exertions; and no great body can be expected to bend to a mode of conduct, which ſeems the offspring of fullenneſs, caprice, or vanity. In the preſent inſtance, the ſeceders were extremely unfortunate: could they have foreſeen the reverſes attending the cloſe of the campaign, they would not probably have abſented themſelves ſo early in the ſeſſion; they regarded only the preſent aſpect of affairs, had few adherents in England, and, from the courſe of the war, deſpaired of long retaining an oſtenſible party in America.

Recеſs.

THE reſolutions on the navy and army eſtimates were voted without much oppoſition, and on the day appointed for a general faſt, both houſes adjourned for the Chriſtmas receſs.

13th Dec.

Attempt to burn the royal arſenals.

WHILE the attention of parliament was engaged in diſcuſſing the conduct of incendiaries in America, the proſperity of England was imminently endangered by an individual of that deteſtable deſcription, inſtigated by American emiſſaries. A gloomy, unſocial, erratic adventurer, whoſe real name was James Aitken, but his common appellative John the Painter, after a long reſidence in America, went to Paris, and, it has been ſaid, being introduced to Silas Dean, a miniſter from congreſs to the French court, received encouragement from him to undertake the deſtruction, by fire, of the dock-yards throughout England. This man had been long habituated to crime; but his want of ſociality prevented him from being traced or betrayed, and thus

CHAP. XXX.

secured him from punishment. Neither suspicion nor ordinary vigilance prevented the full execution of his plan, but his ignorance in the preparation of combustibles, some of which, after being safely deposited and lighted, failed in their effect. The rope-house at Portsmouth was, however, destroyed, and government being at once alarmed and astonished, pursued such measures that he was apprehended, convicted, and hung in chains. His confession proved his being employed by Silas Dean, and exposed the prevailing negligence, relative to those important arsenals, upon which the very existence of the British empire depends [h].

1776. 7th Dec.

10th Mar.

1777. 6th Feb. Bill for suspending the habeas corpus.

The first business which occasioned any debate of importance, was a bill brought in by the minister for enabling the king "to detain and secure persons charged with, or suspected of high treason, committed in North America, or on the high seas, or the crime of piracy." By this law, magistrates were empowered to commit such persons to any place appointed by the king, under his sign manual, and they were to be detained, without bail or mainprize, and not brought to trial, or admitted to bail, without an order from the privy council. The progress of this bill was contested with a warmth and pertinacity proportioned to the magnitude of its objects and the importance of the habeas corpus, that inestimable privilege, which it was intended to suspend. Lord North, on the motion for introducing it, observed, that during the war many prisoners had been made, who were in actual commission of high treason; and many might be taken in the same predicament, but perhaps for want of evidence, could not be legally confined. It had been customary on similar occasions of rebellion, or danger of invasion,

[h] See Annual Register, 1777, p. 245. And the trial at large of James Aitken, taken in short-hand by Joseph Gurney. A bill was, in the course of the session, brought into parliament for protection of private dock-yards from similar attempts; it occasioned a long debate on the nature of crime and punishment (19th May) but was dropped.

to

to enable the king to ſeize ſuſpicious individuals; but miniſters, at preſent, did not demand a confidence ſo extenſive; there was no domeſtic rebellion; nor any proſpect of invaſion; but as the law ſtood, it was not poſſible, officially, to apprehend the moſt ſuſpected perſon; priſoners made from the rebels, and in the act of piracy on the high ſeas, could only be legally confined in the common gaols, a mode which their numbers would render impracticable. It was neceſſary the crown ſhould have a power of confining them like other priſoners of war. CHAP. XXX. 1777.

On the ſecond reading, Mr. Dunning endeavoured to excite diſtruſt of the bill, by inſinuating, that crown lawyers might extend its operations to perſons who never ſaw America, nor perhaps the high ſeas. The power, endeavoured to be veſted in the crown, was dictatorial, or ſtrikingly ſimilar to that exerciſed by the Roman dictators. No man could be exempt from puniſhment, becauſe innocence would no longer afford protection. The bill would generate innumerable ſpies, informers, and falſe accuſers; and furniſh the means of gratification, emolument, and ſafety, to the moſt profligate of the ſpecies; while it would let looſe with impunity, the blackeſt and moſt horrid vices which diſgrace the human mind. Juſtice would be bound as well as blind; and it would be in the power of every revengeful miniſter, or mercenary villain, to ſatiate his revenge, or repleniſh his purſe, at the expence of the beſt and moſt virtuous of men. 10th Feb.

"Who knows," ſaid Mr. Fox, "but the miniſters, in the fulneſs of their malice, may take into their heads that I have ſerved on Long Iſland under general Waſhington? What would it avail me, in ſuch an event to plead an *alibi*; to aſſure my old friends, that I was, during the whole of the campaign, in England; that I was never in America, or on any other ſea but between Dover and Calais; and that all my acts of piracy were committed on the mute creation? All this may be very true, ſays a miniſter, or a miniſter's

CHAP. XXX. 1777.

underſtrapper, you are for the preſent ſuſpected, that is ſufficient. I know you are fond of Scotland; this is not the time for proofs; you may be, and very probably are innocent, this bill cares not whether you are guilty or innocent; I will ſend you under this ſign manual, to ſtudy the Erſe language in the Iſle of Bute; and as ſoon as the operation of the bill is ſpent, you will be at liberty to return, or go whither you pleaſe. You may then call on your accuſers to prove their charges of treaſon in America, on the high ſeas, and of piracy; but they will laugh in your face, and tell you they never charged, they ſuſpected you; and the act of parliament will ſerve as a complete plea in bar; it will anſwer a double end; it will be at once your redreſs and our juſtification. Weakneſs, cruelty, ſuſpicion, and credulity," he obſerved, "are almoſt always inſeparable. Miniſters were credulous in the extreme, becauſe fearful, and they were fearful from a conſciouſneſs of their crimes. The bill included not only confinement, but the power of temporary baniſhment, even to the moſt remote, unhealthy, and peſtiferous climate, within the wide circuit of his majeſty's dominions."

Mr. THURLOW inſiſted, that the bill meant only to apprehend, commit, and confine perſons actually charged or ſuſpected of high treaſon in America, or on the high ſeas, or of piracy. It was highly abſurd and prepoſterous to ſuppoſe it was framed intentionally to reach diſaffected perſons within this realm; though if it did operate to that extent, he ſhould hardly conſider it a fault[1].

23th Feb. Amended in the committee.

As the ſupporters of the bill urged the propriety of correcting the different clauſes in a committee; ſeveral amendments were propoſed in that ſtage of its progreſs. One was moved by Sir Grey Cooper, ſecretary to the treaſury, which rendered the place and extent of the crime ſubjecting perſons to the operations of the act more definite and certain.

[1] The motion for committing the bill was carried 195 to 43.

A PETITION

A PETITION was preſented from the common-council of London, praying that the bill might not paſs, or at leaſt might be prevented from extending to perſons reſident in Great Britain. A clauſe was introduced, excluding all minor acts of piracy [k] from the conſtruction of the act; and on the third reading, Mr. Dunning moved an additional clauſe, which was received with an amendment, and added as a rider, reſtricting the operation of the act to perſons who were actually abſent from the realm, or on the high ſeas at the time of committing their offences. Theſe alterations were not adopted without violent debates; the members of oppoſition were anxious to obtain every qualifying explanation of the bill, though they ſtrenuouſly reſiſted the whole principle; and the crown lawyers were not in perfect harmony in their opinions, reſpecting the conſtitutional queſtion involved in its principle, or the preciſe value of the clauſes given up or amended [l]. 14th. 17th.

IN the houſe of lords no oppoſition was made; a proteſt, in four articles, ſigned by one peer (the earl of Abingdon) only, was entered on the journals. 24th.

No other act of importance was paſſed in this ſeſſion relative to America, except one for enabling the lords of the admiralty to grant letters of marque and repriſal againſt veſſels of that country: it occaſioned no remarkable debate in either houſe: an amendment propoſed by lord Marchmont, for ſubſtituting the phraſe, letters of permiſſion for letters of marque, was readily adopted, as it removed the appearance of placing the Americans on the footing of alien enemies. Act for iſſuing letters of marque.

TOWARD the cloſe of the ſeſſion, lord Chatham, who had not before attended in his place, moved for

[k] Such as trading and correſponding with pirates, furniſhing them with ſtores, and ſeveral other tranſactions affected by ſundry acts of parliament.

[l] The queſtion on the third reading was carried by 112 to 85.

an

CHAP. XXX.

1777. 11th Feb. 30th May. Lord Chatham's motion reſpecting America.

an addreſs, adviſing his majeſty to take ſpeedy and effectual meaſures for putting a period to the unnatural war with America, and terminating ſuch hoſtilities on the only juſt and ſolid foundation, the removal of accumulated grievances. The houſe, at the requeſt of lord Camden, was ſummoned for the expreſs purpoſe of deliberating on this motion.

LORD CHATHAM began by obſervations on the critical emergency of the times, and prognoſticated that unleſs an end was put to the war, there was an end to the country. The Americans were called rebels; he did not mean to make their panegyric; but there was a time when they raiſed four regiments on their own account, and took Louiſbourg from the veteran troops of France; their exceſſes had been great; but were extenuated by the erroneous and infatuated counſels which had cloſed the door to mercy and juſtice. He decried the efforts uſed to conquer the provincials: "You have ranſacked," he ſaid, "every corner of Lower Saxony; but forty thouſand German boors never can conquer ten times the number of Britiſh freemen: they may ravage; they cannot conquer. But what would you conquer? the map of America? What will you do out of the protection of your fleet? In the winter, if together, the troops are ſtarving; and, if diſperſed, cut off in detail. I am experienced in ſpring hopes and vernal promiſes; I know the boaſtings of miniſters; but at laſt will come your equinoctial diſappointment. They tell you that your army will be as ſtrong as laſt year, when it was not ſtrong enough; you have obtained nothing in America but ſtations, and have been three years teaching your opponents the art of war; they are apt ſcholars, and I will venture to affirm, that the American gentry will furniſh officers fit to command the troops of all the European powers. You have employed forces, too numerous for peace, too limited for war.

"I HAVE, at different times," he proceeded, "made different propoſitions, adapted to circumſtances. The plan

plan contained in my former bill, is now impracti- CHAP. XXX. 1777.
cable; but the motion I intend to propoſe may produce a reſpectable diviſion in America, and unanimity at home. It will give America an option; ſhe has yet had no option. You have ſaid, lay down your arms, and ſhe has given you the Spartan anſwer, 'come take.' Lord Chatham explained his plan to mean, a redreſs of all grievances, and an acknowledgment of the rights of the Americans to diſpoſe of their own money. "This would be the herald of peace; this would open the way for treaty; this would ſhew parliament ſincerely diſpoſed. Yet much muſt be left to treaty. Should you conquer this people, you conquer under the cannon of France; under a maſked battery then ready to open. You are now at the mercy of every little German chancery: and the pretenſions of France will increaſe daily, ſo as to become an avowed party in either peace or war. We have tried for unconditional ſubmiſſion; try what can be gained by unconditional redreſs. Leſs dignity will be loſt in the repeal, than in ſubmitting to the demands of Germans. We are the aggreſſors; we have invaded America, as much as the Spaniſh armada invaded England. Mercy cannot be injurious; it will ſeat the king where he ought to be, throned in the hearts of his people; and millions at home and abroad, now employed in obloquy or revolt, will pray for him." The preſent moment was the criſis, he obſerved, before France was party to the treaty; before the fate of the country was decided. The French court was too wiſe to loſe the opportunity of effectually ſeparating America from the dominions of this kingdom; and whenever France or Spain entered into any treaty with America, Great Britain muſt immediately declare war againſt them. He would be among the firſt to adviſe it, even if we had but five ſhips of the line in our ports; and ſuch a treaty muſt and would ſhortly take place, if pacification was delayed. War between France and Great Britain was not leſs probable, becauſe it had not yet been declared;

it

CHAP. XXX. 1777.

it would be folly in France to declare it now while America gave full employment to our arms, and was pouring into the lap of France her wealth and produce; the benefit of which ſhe was enjoying in peace. Were it practicable, by a long continued courſe of ſucceſs, to conquer America, no benefit could be derived but from the good-will and pure affection of the inhabitants, which were not to be gained by force of arms, but by conciliation and juſtice."

In a ſubſequent part of the debate, lord Chatham gave a more ſpecific detail of his views. "I wiſh," he ſaid, "for a repeal of every oppreſſive act paſſed ſince 1763. I would put our brethren in America preciſely on the ſame footing they ſtood at that period. I would expect, that being left at liberty to tax themſelves, and diſpoſe of their own property, they would, in return, contribute to the common burthens according to their means and abilities. I will move for a bill of repeal, as the only means left to avert that deſtruction which threatens to overwhelm us. I ſhall no doubt hear it objected, why ſhould we concede? Has America done any thing on her part to induce us to agree to ſo large a ground of conceſſion? I think you ſhould concede, having been the aggreſſors from the beginning. It is the buſineſs of this country to make the firſt overtures, for I ſay again, this country has been the aggreſſor. You have made deſcents upon their coaſts; you have burnt their towns, plundered their country, made war upon the inhabitants, confiſcated their property, proſcribed and impriſoned their perſons. I do therefore affirm, that, inſtead of exacting unconditional ſubmiſſion from the colonies, we ſhould grant them unconditional redreſs; we have injured, we have endeavoured to enſlave and oppreſs them. Upon this clear ground, inſtead of chaſtiſement, they are entitled to redreſs, a firſt ſtep toward which will be a repeal of thoſe laws of which they complain. The people of America conſider parliament the authors of their miſeries, their affections are eſtranged

CHAP. XXX. 1777.

eſtranged from their ſovereign: let then reparation come from the hands which inflicted the injuries; let conciliation ſucceed chaſtiſement; and I maintain that parliament will again recover its authority; that his majeſty will be once more enthroned in the hearts of his American ſubjects; and that your lordſhips, as contributing to ſo great, glorious, ſalutary, and benignant a work, will receive the prayers and benedictions of every part of the Britiſh empire."

In debating lord Chatham's propoſition, the accuſtomed ground was repeatedly traverſed by both parties; the lords who ſupported adminiſtration inſiſting, that the original aim of America was independence, which the adherents of lord Chatham as ſtrongly denied; and the aſſertion advanced by them, that Great Britain was the original aggreſſor, was no leſs vigorouſly combated. Several collateral topics of diſcuſſion were introduced, which protracted the debate to an enormous length, particularly a cenſure on a paſſage in a recent ſermon of the archbiſhop of York, which was animadverted on, and defended, with great heat.

Lord Gower obſerved, that the motion held out nothing new, and was a mere repetition of lord Chatham's former ſentiments. Similar propoſitions had been afterward made by two noble dukes, and unleſs the houſe had changed its opinions, for which he could ſee no reaſon, it muſt reject the preſent, as well as all the preceding motions. The idea reſpecting the conduct of France, taken in any of the various views in which his lordſhip had placed it, was moſt extraordinary, or rather moſt extravagant. "If we conquer America," he ſays, "we ſhall conquer it for France: if France ſhould join America againſt us, and get the better, America, though ſucceſsful, will nevertheleſs be conquered, and become a province or dependency of France; and though we neither conquer or are conquered, ſtill America will be loſt to England, and fall to our enemies and rivals." Such a motion, by exhibiting to foreign nations a picture of our pre-

CHAP. XXX. 1777.

tended national imbecility, and the deſperate ſituation of our affairs, would invite them to avail themſelves of our weakneſs, diſtreſs, and divided councils, when they ſhould ſee the great council of the nation alarmed by views of impending ruin, ariſing from the unſucceſsful, fatal hoſtilities of an unnatural civil war.

Lord Lyttleton was ſurpriſed at the timid deſpondent tone aſſumed by lord Chatham, in relation to the conduct and ultimate views of foreign powers; he whoſe fire, ſpirit, and zeal for the honour and dignity of his country, had carried terror and conqueſt among ſurrounding nations; could ſuch ſentiments be reconciled to his former conduct? He who, when young, inſpired himſelf and the nation at large with the moſt exalted and heroic ideas; called on the people to aſſert their honour, and do themſelves juſtice, in defiance of the conſpiracies of every power in Europe. And how was the ſtate of America calculated to make Great Britain deſpair of conqueſt? Anarchy prevails; horrible acts of violence, treachery, cruelty, and injuſtice, are daily committed by the rebels on their loyal and dutiful brethren, merely becauſe they will not join in the diabolical ſcheme of overthrowing all juſt and legal government; the laws trampled on, the courſe of juſtice interrupted or annihilated, government diſſolved, magiſtrates impriſoned or baniſhed, the faithful and obedient part of the people oppreſſed, deſpoiled of their property, ſuffering in dungeons, or obliged to fly their native land. To the horrors of war, the rebels had added the brutality of ſavages, and the treachery of cowards. Theſe were the perſons, and this was the cauſe, ſome of their lordſhips thought fit to eſpouſe and defend. The opponents of adminiſtration were reminded of their predictions reſpecting the conduct of France; and their repeated aſſertions, that America had never thought of independence. Experience had verified the language of adminiſtration on both points. Lord Chatham had derided the abſurdity of ſuch ideas, as interference on the part of France, and the congreſs declaring

declaring the united colonies independent ſtates. Other noble lords, on the ſame ſide, denied the leaſt probability of ſuch an event, and pledged themſelves, if it ſhould ever happen, that they would be the firſt and moſt zealous in endeavouring to compel them to return to their duty. The event has actually taken place, and what is their conduct? Inſtead of recommending vigorous meaſures; inſtead of ſupporting ſtrenuous and deciſive exertions of our whole ſtrength, we are told that France does not mean to interfere; but leſt ſhe ſhould, it is now propoſed to offer a treaty with declared and open rebels. Our rights are to be abandoned or conceded, leſt France ſhould go to war when our ſtrength and reſources are weakened and exhauſted. This baſe and puſillanimous language is not worthy of attention. CHAP. XXX. 1777.

THE motion was negatived [m]. Rejected.

THE ſupplies and taxes did not paſs the houſe of commons without ſtrenuous and animated debates; all the members of oppoſition attended, and the bargains and conduct of the miniſter were vehemently arraigned. The landgrave of Heſſe, taking advantage of the neceſſities of Great Britain, had revived, with ſucceſs, dormant and groundleſs claims for levy and hoſpital monies during the laſt war. The miniſter was reproached with improvidence and profuſion in his contracts, particularly with having paid for putrid pork, and damaged flour, a higher price than the ſame articles were worth in their beſt ſtate; and with having been ſo egregiouſly duped in a contract for rum, as to pay more than double its value. Debates on taxes and ſupplies.

LORD NORTH, while daily haraſſed by theſe objections, which even occaſioned a deſertion of ſome of his moſt conſtant ſupporters; when the nation was depreſſed and alarmed by intelligence of the diſaſtrous events attending the cloſe of the campaign; when he had not yet entirely recovered from a ſevere illneſs; 9th April. King's meſſage reſpecting the arrears of the civil-liſt.

[m] 99 to 28.

CHAP. XXX. 1777.

was obliged to ſubmit to the houſe a demand of the greateſt delicacy, and which he foreſaw muſt introduce the moſt unpleaſant diſcuſſions. The increaſing load of debt on the civil-liſt, greatly augmented by numerous American refugees, had long embarraſſed the court; but the circumſtances of the times had prevented an application to parliament. The poverty of the crown was now, however, become ſo diſgraceful, that the miniſter could no longer decline preſenting a meſſage, informing the houſe that the arrears, to the fifth of January, amounted to upward of ſix hundred thouſand pounds, and appealing to their loyalty and affection to diſcharge this debt, and at the ſame time, make further proviſion for ſupporting the dignity of the crown.

Debates in the committee. 16th April.

THIS meſſage was referred to a committee of ſupply, who were furniſhed with explanatory papers. A long debate occurred, on a motion by lord John Cavendiſh to diſcharge the order of reference. Some objected to the accounts as defective, and to the expenditure as exceſſive. The accounts, he ſaid, came unaccompanied by any voucher, or collateral or explanatory obſervation, that could give them an air of authenticity. The manner of fabricating them, and of ſtating the exceſs, helped to explain each other. The accounts merely announced the diſburſements, without information to whom, or for what particular ſervice; the exceſs was a neceſſary conſequence of ſuch a ſtatement, and ſhewed that it aroſe, but not why it ſhould be provided for. His lordſhip attempted to prove, by arithmetical eſtimates, that comparing ſixteen years of the preſent with the ſame period of the late reign; or taking an average of the expenditure of both reigns, making every allowance for increaſe of family, and advanced price of neceſſaries, the fair expenditure of his majeſty ought to be leſs by ſome thouſand pounds a year, than that of his predeceſſor. The honour and dignity of the crown formed a common pretext for ſuch applications as the preſent; and would of courſe pervade

pervade the miniſterial language: but if the miniſter really conſulted the honour and dignity of the crown, he would have applied to parliament earlier, or even annually, as the debt was incurred. The houſe might then have deviſed ſome mode of retrenching unneceſſary expenſes; inquired into the expenditure of the revenue; and, on diſcovering abuſes, would have rectified them, or totally removed the cauſe. Dangerous conſequences muſt ariſe from an augmentation of the civil-liſt, and the conſequent influence of the crown, already become much too powerful. CHAP. XXX. 1777.

SIMILAR arguments and ſtatements were advanced by other members of oppoſition, with ſuch variations as marked the temper, character, or genius of each. Mr. Wilkes ſaid, the nation cheerfully gave eight hundred thouſand pounds for *the trappings of royalty*; the propoſed augmentation was a violation of public faith; and it was cruel to fleece the people, when involved in a moſt expenſive, as well as unnatural and ruinous civil war, and burthened with an enormous national debt. He reviewed the expenſes of all the kings, ſince the revolution, extolling their magnificence, compared with the want of ſplendour in the court of George III. He alluded to his own ſufferings, by mentioning an article in the account of ſecret ſervices, paid in 1763 to Samuel Martin, eſq. and ſaid he was himſelf plundered in one year of a thouſand pounds in two fines. He deſcanted with aſperity on the literary penſions beſtowed on two jacobite doctors, Shebbeare and Johnſon; on Hume for attacking, and on Beattie for defending the Chriſtian faith. Thus was the public treaſure laviſhed. He ſpoke with acrimonious harſhneſs of the diſagreements in the royal family, contraſting the kindneſs of Louis XVI. to Monſieur and the comte d'Artois, with the conduct of the king toward the dukes of Glouceſter and Cumberland: and, deriding the notion of conſulting the dignity of the diadem and greatneſs of the ſovereign, ſaid, it reminded him of the obſervation of Philip IV. of Spain, when Louis XIV.

CHAP. XXX. 1777.

was taking from the emperor all the towns in the Netherlands, "*Sa grandeur eſt comme celle des foſſés, à proportion des terres qu'on leur ôte.*"

MR. BURKE aſſerted that nothing but a confidence in the ſervility of the houſe, and a knowledge of their careleſſneſs, could make the miniſtry deſperate enough to aſſert that ſufficient proviſion had not been made for the ſplendour of the crown. He objected to the argument drawn from the experience of the whole reign, that eight hundred thouſand pounds was not ſufficient for the civil-liſt expenſes; becauſe, if admitted, the propriety of every perſon's practice would be judged by the practice itſelf; a man's extravagance would become the meaſure of his ſupply, and becauſe he had actually diſſipated a large revenue, he ought to be furniſhed with a larger revenue to diſſipate. This would eſtabliſh a principle of public profuſion; would even make it the intereſt of miniſters to be prodigal, ſince their extravagance, inſtead of leſſening, would be the certain means of increaſing their eſtate.

MR. Fox decried the accounts as a mere detail of arbitrary ſums, perhaps arbitrarily ſet down. Such an account, even if truly ſtated, was of no uſe, unleſs to add mockery to contempt, and blend inſult with deriſion.

THE members of oppoſition did not all agree in lord John Cavendiſh's motion: Mr. Wilkes propoſed, and the opinion was ſanctioned by others, that the houſe ſhould go into a committee, with inſtructions to conſider of the cauſes of the debts due on account of the civil-liſt, and likewiſe what further proviſion might be neceſſary to ſupport the ſplendour and dignity of the crown.

IN propoſing an aid to the crown, the miniſter declared himſelf aware that he ſhould be leſs engaged in reaſoning than in diminiſhing the force of arguments and aſſertions calculated to deprive him of popularity, which was to be proportionately gained by his opponents. He confeſſed the taſk diſagreeable, taking it in the

the moſt favourable light; and when he laſt came on a ſimilar errand, he little thought it would have fallen to his lot again; for ſeveral of his predeceſſors, much his ſuperiors in abilities, had continued but a very ſhort time in adminiſtration: but at length, ſaid his lordſhip, ſuch is the ſtability of government, that an adminiſtration can even outlive eight years! During the laſt four years, he ſaid, the expenditure had undergone a conſiderable decreaſe, to the amount of nearly a hundred thouſand pounds per annum. In the laſt year it had increaſed, on account of numerous American refugees, driven from their country or property for their loyalty and attachment to the crown and parliament of Great Britain, and left deſtitute of reſource, or even of ſuſtenance: they had augmented the civil-liſt expenſes he believed to the amount of twenty-ſeven thouſand pounds. The influence of the crown was not enlarged ſince the king's acceſſion, but government had been ſtrengthened by the wiſdom and rectitude of his majeſty's councils, and the eſteem and confidence of his ſubjects. The obligations were mutual, and juſtly merited; and if ſuch an influence really exiſted, it would not be employed in abridging the liberties of the ſubjects, or in acts of oppreſſion; but in ſecuring and augmenting the proſperity, virtues, and happineſs of the people. CHAP. XXX. 1777.

MR. ADAM, in a ſpeech of conſiderable ability, ſhewed the meanneſs, ignominy, and diſgrace to which Charles II. had been obliged to deſcend, from all which he might have been reſcued, if parliament would have relaxed their too rigid ſyſtem of parſimony. The accounts were ſtated to be as perfect as could be furniſhed, and to afford every light neceſſary for judging of the ſubject; in former reigns, ſimilar requeſts had been granted without a requiſition of accounts.

THE motion of lord John Cavendiſh was rejected [n], Supply granted.

[n] 281 to 114.

CHAP. XXX.

and the committee reſolved to grant the required ſum for diſcharging arrears, and to add to the civil-liſt one hundred thouſand pounds per annum.

1777. 18th April.

On bringing up the report of the committee, the debate was reſumed with great animation; but no novelty in argument occurred, nor any remarkable circumſtance, except that the houſe was thrown into a temporary confuſion by the ribaldry of Alderman Sawbridge, who ſaid, the deficiency might be accounted for, without having recourſe to the increaſed price of the neceſſaries of life. The civil-liſt had been employed in corrupting both houſes; it had been ſpent in private as well as public penſions; in ſingle bribes and temporary gratuities. The civil-liſt had been drained by as many different means as want ſuggeſted, or corruption was capable of deviſing or inventing. Although called to order, he refuſed to retract or qualify his expreſſions; but added, that ſome of the very debt which the miniſter applied to parliament to diſcharge, was ſquandered in hiring ſpies and informers, to ruin and diſtreſs innocent men; men in every light as loyal to the king, and as faithful to their country as their perſecutors would perſuade the world they themſelves were. Mr. Burke interpoſed, and, by a happy mixture of argument and irony, brought the houſe to a degree of forbearance which induced them to hear theſe abſurdities unmoved *.

21ſt April.

The houſe directed the amount of arrears to be paid out of the ſinking fund, and a bill was paſſed compriſing all theſe objects.

Debate and proteſt in the lords.

The king's meſſage was diſcuſſed with no leſs warmth in the houſe of lords. The marquis of Rockingham reccommended an amendment to the addreſs; which, being rejected, was entered on the journals as a proteſt, and ſigned by fourteen peers.

7th May. Speech of Sir Fletcher

On preſenting the bill for aſſent, the ſpeaker of the houſe of commons obſerved to the king, that in a time

* There was a diviſion on the ſecond reſolution; the numbers 281 to 109.

of

of public diſtreſs, full of difficulty and danger, their conſtituents labouring under burthens almoſt too heavy to be borne, his faithful commons poſtponed all all other buſineſs, and, with as much diſpatch as the nature of their proceedings would admit, had not only granted a large preſent ſupply, but alſo a very great additional revenue; great beyond example; great beyond his majeſty's higheſt expenſe[p]. "But all this, Sir, they have done, in a well-grounded confidence, that you will apply wiſely what they have granted liberally; and feeling, what every good ſubject muſt feel, with the greateſt ſatisfaction, that under the direction of your majeſty's wiſdom, the affluence and grandeur of the ſovereign will reflect dignity and honour on his people."

1777. Norton, on preſenting the bill to the king.

For this ſpeech the ſpeaker received the thanks of the houſe of commons, and was deſired to print it.

He is thanked by the houſe.

In the courſe of the late debates, many alluſions had been made to the affairs of the king's brothers, and an amendment was ſuggeſted by Sir James Lowther, by which part of the ſum granted in augmentation of the civil-liſt would be applied to their uſe; this propoſal was over-ruled as irregular, but, after the act was paſſed, he again brought it forward. The debate was not intereſting, as the motion was oppoſed chiefly on the ground of its being indelicate to interfere in the tranſactions of the royal family, and it was diſpoſed of by the previous queſtion [q]; but in the courſe of debate, Mr. Rigby alluded with indignation to the obſervations of the ſpeaker, who, he ſaid, had groſsly miſrepreſented the ſituation of the country, in a place, and in a preſence where nothing but truth ſhould be heard. The ſentiments attributed to the commons were totally foreign from their thoughts; and, he truſted, that before the houſe roſe, it would be proved whether they coincided with the chair or with him, who utterly diſ-

Debate on the ſubject. 18th April.

9th May.

[p] Several members, who took notes of this ſpeech, wrote *wants* inſtead of *wiſhes*.

[q] 172 to 45.

CHAP. XXX. 1777.

claimed the obſervations delivered by the ſpeaker in their name.

SIR FLETCHER NORTON appealed to the houſe; the ſpeech and vote of thanks were read, and Mr. Fox moved, that "the ſpeaker did expreſs, with juſt and proper energy, the zeal of the houſe for the ſupport of the honour and dignity of the crown, in circumſtances of great public charge." In introducing the motion, he obſerved, that if it were negatived, the ſpeaker could not retain the chair with reputation to himſelf, or be further ſerviceable in his ſtation, after being publicly deſerted, bullied and diſgraced. Sir Fletcher Norton himſelf adopted this opinion; aſſuring the houſe that he meant to deliver nothing but their ſentiments, in which he thought himſelf juſtified by the time, the occaſion, and the various concurrent circumſtances which combined to ſtamp his obſervations with peculiar propriety. Conceiving, therefore, that he diſcharged his duty, and that the houſe had ſubſequently ſanctioned his conduct by their approbation, he could not, if the preſent motion was rejected, remain in a ſituation where he could be no longer ſerviceable.

The ſpeaker's conduct more deciſively approved.

ALTHOUGH the attorney-general ſupported Mr. Rigby's opinion, the proſecution of the queſtion, in the direction it muſt neceſſarily take, was not deſirable to the friends of adminiſtration; a conſiderable portion of diſcuſſion was employed on the ſuppoſed aſſertion, that the ſupply exceeded the king's *wants*; a phraſe which the ſpeaker diſclaimed. Mr. Rigby, in the courſe of debate, ſpoke in more moderate terms, claiming a right to utter his own ſentiments freely; but denying any intention to make perſonal reflections on the chair. He attempted a compromiſe by means of an adjournment, but this he afterward withdrew: Mr. Fox's motion was carried, and followed by one from ſerjeant Adair, renewing the thanks of the houſe to their chief officer.

28th April. Grant to the Muſeum.

AMONG the other tranſactions of the ſeſſion, were a grant of three thouſand pounds to the Britiſh Muſeum;

ſeum; and an act, which will ever redound to the credit of the ſolicitor-general, for reſtraining and ſubjecting to ſeveral judicious regulations, certain grants of annuities. CHAP. XXX. 1777. Annuity act. 6th June.

In preſenting the bills to the king, at the cloſe of the ſeſſion, the ſpeaker again addreſſed his majeſty, ſtating the hope of the houſe, that ſpeedy means would be found to ſtop the ravages of war, which would otherwiſe be attended with conſequences ruinous to the proſperity, perhaps dangerous to the ſafety of the country. Cloſe of the ſeſſion.

The king expreſſed his approbation of the conduct of parliament, and thanked them for the unqueſtionable proofs of their continued attachment to his perſon and government, their clear diſcernment of the true intereſts of the country, and ſteady perſeverance in maintaining the rights of the legiſlature. He truſted in Divine providence, that by a well-concerted and vigorous exertion of the great force put into his hands, the operations of the campaign would be bleſſed with ſuch ſucceſs, as might moſt effectually tend to the ſuppreſſion of rebellion, and re-eſtabliſhment of the conſtitutional obedience, which all the ſubjects of a free ſtate owe to the authority of law. King's ſpeech.

No effort to engage the attention of the public, or procure an indication of popular ſentiment, on the ſubjects which engaged the attention of the legiſlature, merits particular attention: all eyes ſeemed fixed on the centre to which the great exertions of government were directed; with an anxiety proportioned to the magnitude of the conteſt; the nation ſurveyed the employment of thoſe preparations which the miniſtry had demanded, and the parliament had granted, with the cheerfulneſs of well-founded hope, and with a confidence of ultimate ſucceſs. State of the Public mind.

In ſanguinely predicting the interference of foreign powers in the diſpute, the members of oppoſition uttered ſuppoſitions well-founded in theory, and ſtrongly ſupported by circumſtances, though premature. State and views of foreign powers with reſpect to England

CHAP. XXX. 1777.

ture. France, toward which theſe ſuggeſtions moſt particularly pointed, gave ſufficient indications of a wiſh to aſſiſt the revolted colonies, though her language was ſtill pacific and confidential, and her conduct, ſo far as it could be referred to the teſt of public acts, unexceptionable.

Soon after the declaration of independency, congreſs had diſpatched Silas Dean, and ſubſequently Dr. Franklin, to Paris, for the purpoſe of negotiating for the aſſiſtance of France: they were not received in a public character, but permitted to reſide in the capital; and as it was the prevailing French faſhion to patronize the American revolt, they were introduced to, and courted by people of the firſt rank. The queen of France, at the head of an active and numerous party, anxiouſly awaited the moment for commencing hoſtilities; but her influence was not ſufficient to remove the miniſters, who, feeling the true intereſt of the country, were unwilling, by engaging in war, to preclude the advantages which might be derived from neutrality. Some members of adminiſtration did not adopt the ſame views, but through ambition of directing the operations of a war, or deſire of giving effect to ſome untried projects of finance, countenanced as much as poſſible the riſing ſpirit of partiality to America.

The king of Pruſſia, ſacrificing every conſideration of ſound policy, and ſuppreſſing every emotion of gratitude, loudly declared himſelf the champion of America. He was ambitious to become the director of the French councils, and give energy to every hoſtile attempt againſt England. Thoſe among the French miniſtry who entered into theſe views were anxious to ſtrengthen the alliance with Pruſſia, and weaken the effect of the royal marriage into the houſe of Auſtria, as they foreſaw the impoſſibility of engaging the cabinet of Vienna in projects hoſtile to England. The partiality for this connexion was daily growing weaker in both countries. The queen of France was foiled in her

firſt

first attempt, that of replacing Choiseul in administration; a measure which would have led directly to a strong union against Prussia, and formidable to England, Holland and Russia. The connexion with Prussia was now therefore pursued with eagerness, and without fear, from the certainty, that during the life of the empress queen, at least, no hostility would be sought by Austria with France. Maria Theresa, weary of war, had an insurmountable repugnance to all measures which could tend to the infraction of peace; and her strong maternal feelings rendered her peculiarly averse to hostilities with the house of Bourbon, into which five of her children were intermarried. CHAP. XXX. 1777.

Thus, under an enforced necessity of maintaining pacific appearances, while the majority of the nation were eager for hostile measures, the conduct of France was replete with inconsistencies; many acts, both in that kingdom and the transatlantic colonies, afforded reasonable grounds of offence, while, on every complaint, the government evinced a serious desire to allay the jealousies, and conciliate the good-will of Great Britain. The American privateers found a ready sale for their captures in the French ports, as well in Europe as in the West Indies. In France, some disguise and restraint were requisite, though no effectual impediment was inforced, but the people in the Islands permitted private sales, and fitted out privateers under American colours, and with American commissions, for the purpose of committing depredations on British property. An agent of congress, openly established at Martinique, not only facilitated these illicit proceedings, but laid the grounds for quarrels between the French and English merchants. The American privateers, increasing in audacity, infested the channel, insulted the coast of Great Britain and Ireland, and began to be received and saluted in the ports of France[r].

[r] See Ramsay, vol. ii. p. 23, and all the histories.

One

CHAP. XXX. 1777.

ONE of the effects of faſhion in the conſideration of the American conteſt, was the rage of adventuring with which it inſpired many of the young nobility of France. Among the moſt conſpicuous of theſe inſtances was that of the marquis de la Fayette; he was nephew to M. de Noailles, the French ambaſſador in London; had for ſome time reſided with his uncle, and having availed himſelf of a familiar intercourſe with ſome of the ſervants of government, to acquire a knowledge of the intended plan of operations for the enſuing campaign, ſuddenly withdrew to France, purchaſed a yatcht, and, on pretence of a voyage to Italy, ſailed to America, and joined the army under general Waſhington[s]. But whatever might be the arguments or temptations which induced French officers to engage in theſe ſpeculations, they muſt have been conſiderably mortified with their reception in the American army. They expected rank equivalent to that which they had held in the ſervice of the French king, and congreſs inadvertently decreed that arrangement; but general Waſhington ſoon demonſtrated, that it could not take effect without diſplacing and diſguſting all native officers. The French adventurers did not know the language, and were impatient at the manners of their new aſſociates; the Americans viewed them with jealouſy and diſaffection; many returned diſappointed to their native land, and even la Fayette was in danger of experiencing the ſame fate[t].

IF theſe circumſtances, ſeparately conſidered, were calculated to give uneaſineſs to the Britiſh government, the public conduct of France was always conciliatory, often humble. The miniſtry explained frankly the cauſe of large armaments then making in their ports, and gave aſſurances that they were only in purſuance

[s] Hiſtory of lord North's adminiſtration, p. 277. La Fayette was not yet twenty, when he commenced his career with this act of treachery.

[t] See Waſhington's Letters, vol. iii. p. 107. 216. and for other ſtatements relative to the French officers, the ſame vol. p. 13. 26. 32. 53, 54. 57. 69. 70. 75. 84. and 89.

of the family compact, for the aſſiſtance of Spain, who was involved in diſputes with Portugal. The whole correſpondence on this ſubject diſplays a diſpoſition in France to avoid all occaſions of offence, and ſomewhat of alarm leſt Great Britain, by aſſiſting Portugal, ſhould render hoſtilities inevitable. CHAP. XXX. 1777.

On a forcible remonſtrance from lord Stormont, the Britiſh embaſſador, an order was iſſued, requiring all American veſſels to quit the ports of France. This injunction, it is true, was frequently evaded [u], nor was it perhaps ever expected to be rigidly enforced; but the public diſavowal of the American cauſe was a ſatisfactory conceſſion, and tended to remove the fears of immediate aggreſſion, though prudence forbad a too confident ſecurity. March.

In like manner, the conduct of la Fayette was in public diſavowed, and the court affected great diſpleaſure [x]; it was not neceſſary, nor indeed becoming, to inveſtigate ſtrictly the ſincerity of theſe appearances; the puniſhment or diſgrace of an individual could not be important in a national conteſt, and it might be eaſily comprehended, that perſonal conſiderations and family connexions would preſerve a man of his rank and fortune from open diſgrace, even if the court really felt indignant at his proceedings.

On the whole, making every allowance for the intriguing diſpoſition of France; for her jealouſy of Great Britain, and her deſire to humble ſo proſperous a rival, it might be conjectured that ſhe would ſee her own intereſt in avoiding a war, which Great Britain would certainly not court. The government of France was far from ſettled; the diſorders of the late reign required a long interval to repair their effects on the finances; the king's darling project of forming a reſpectable naval force would be delayed if not fruſtrated, and all his benevolent projects of economy would be ſuperſeded. Penetrating politicians thought Louis

[u] Ramſay, vol. ii. p. 24. [x] Gibbon's Poſthumous Works, vol. i. p. 515.

had,

CHAP. XXX. 1777.

had, by the recal of the ancient parliaments, purchaſed popularity at too high a rate; and it required ſtill leſs diſcernment to perceive that the ſuppreſſion of the Mouſquetaires diminiſhed not only the ſplendour, but the real ſtrength of the throne.

A CORDIAL attachment to the intereſts and welfare of Great Britain could not be expected from France; but the moſt ſagacious obſervers were of opinion, that ſhe was ſincere in her deſire to avoid a general quarrel with Great Britain, although this diſpoſition was attributed rather to a want of union and enterprize among the principal people, than to any well combined ſyſtem of pacific politics[y]. It was alſo the judgment of a profound obſerver, who was at this period in Paris, in the centre of information, with the beſt means of acquiring, and the greateſt facilities of communicating it, that there was no room for apprehending a war with France. "It is much more pleaſant, as well as profitable," this elegant author obſerves, "to view in ſafety the raging of the tempeſt, occaſionally to pick up ſome pieces of the wreck, and to improve their trade, their agriculture, and their finances, while the two countries are *lento colliſa duello*. Far from taking any ſtep to put a ſpeedy end to this aſtoniſhing diſpute, I ſhould not be ſurpriſed if next ſummer they were to lend their cordial aſſiſtance to England, as to the weaker party[z]."

[y] This was the obſervation of Prince Kaunitz, the imperial prime miniſter, to Sir Robert Murray Keith, the Britiſh embaſſador at Vienna; the important correſpondence from which it is taken has alſo furniſhed many other facts and obſervations in the above ſketch of foreign affairs.

[z] Gibbon's Poſthumous Works, vol. i. p. 526.

## CHAPTER THE THIRTY-FIRST:

### 1776—1777.

*Extenſive powers granted to Waſhington.—American oath of allegiance.—Waſhington's proclamation.—State of his army.—Supplies from France.—Expeditions—to Peek's Kill—Danbury—and other places.—American expedition to Sagg's Harbour.—Movement of Waſhington.—Of the Britiſh army.—Howe makes a feigned retreat.—Action near Quibble Town.—Howe evacuates the Jerſeys.—Capture of general Preſcott.—The Britiſh army embarks for the Delaware—Lands at the head of Elk.—Howe's proclamation.—Battle of Brandywine.—Surpriſe of general Wayne.—Capture of Philadelphia.—Strong defence of the Delaware.—Billingſport taken.—Action at German Town.—Attack on Red Bank.—Loſs of the Auguſta and Merlin.—The enemy's forts at length taken.—Waſhington encamps at White Marſh.—Huts his army at Valley Forge.—Sir William Howe fixes in winter quarters.—Campaign of the northern army.—Obſervations on the employment of ſavages.—Burgoyne arrives at Crown Point.—War feaſt.—Speech and proclamation.—Crown Point and Ticonderoga taken.—Purſuit of the enemy.—Delays and difficulties of Burgoyne's army.—Proclamation by Burgoyne and Schuyler.—Siege of Stanwix—raiſed.—Expedition to Bennington.—Defeat of colonel Baum—and Breymann.—Gates commands the Americans.—Burgoyne advances to Saratoga.—Battle of Stillwater.—The Americans deſtroy the tranſports.—Increaſing difficulties of Burgoyne.—His lines attacked—he falls back to Saratoga—and ſurrenders by convention.—Proceedings of Sir Henry Clinton.—Takes forts Clinton and Montgomery.—The Americans burn their fleet.—Burning of Eſopus.—Examination of ſir Henry Clinton's conduct with reſpect to a co-operation with Burgoyne.*

AMONG all the difficulties encountered by general Waſhington, none ſeems to have embarraſſed him more than the reſtricted ſtate of his authority: congreſs,

CHAP. XXXI. 1776.

CHAP. XXXI.

congreſs, vigilant and jealous, as well from the peculiarities of their ſituation, as from the habits of the members, were averſe to grant ſuch powers, as would enable their general to act with promptitude, vigour, and effect. Toward the cloſe of 1776, when the affairs of the ſtates were verging to their moſt dangerous criſis, he urgently demanded authority to act without their immediate inſtructions, as the only means of avoiding ruinous delays. In making this demand, he found it neceſſary to conciliate eſteem, and ſoften prejudice, by vindicating his own perſonal character, and explaining his conduct and views. "I can with truth declare," he obſerved, "that I have no luſt after power, but wiſh, with as much fervency as any man upon this wide extended continent, for an opportunity of turning the ſword into a plough-ſhare. But my feelings, as an officer and a man, have been ſuch as to force me to ſay, that no perſon ever had a greater choice of difficulties to contend with than I have. It may be thought," he added, "that I go out of the line of my duty to adviſe thus freely: a character to loſe: an eſtate to forfeit; the ineſtimable bleſſings of liberty at ſtake; and a life devoted; muſt be my excuſe[a]!" Congreſs, at length, when they had removed to Baltimore, inveſted him with powers more ample than in his moſt ſanguine moments he had preſumed to wiſh[b].

1776. Extenſive powers granted to Waſhington. 20th Dec.

27th Dec.

As

[a] Waſhington's Letters, vol. i. p. 349. 351.

[b] This reſolve is in theſe words: "That general Waſhington ſhall be, and he is hereby veſted with full, ample, and complete powers, to raiſe and collect together in the moſt ſpeedy and effectual manner, from any or all of theſe united ſtates, ſixteen battalions of infantry, in addition to thoſe already voted by congreſs; to appoint officers for the ſaid battalions of infantry; to raiſe, officer, and equip 3,000 light horſe, three regiments of artillery, and a corps of engineers, and to eſtabliſh their pay; to apply to any of the ſtates for ſuch aid of the militia as he ſhall judge neceſſary; to form ſuch magazines of proviſions, and in ſuch places as he ſhall think proper; to diſplace and appoint all officers under the rank of brigadier-general; to fill up all vacancies in every other department in the American armies; to take, wherever he may be, whatever he may want for the uſe of the army, if the inhabitants will not ſell it, allowing a reaſonable price for the ſame; to arreſt and confine perſons who refuſe to take the continental currency, or are otherwiſe diſaffected to the American cauſe; and return to the ſtates of which they are citizens, their names, and

CHAP. XXXI.

1777.

He recommends an oath of allegiance. 5th Feb. 1777.

As ſoon as ſucceſs gave to general Waſhington the ſlighteſt hope of re-eſtabliſhing the almoſt ruined cauſe of independence, he remonſtrated with congreſs on the inattention by which they had loſt a conſiderable cement to their own force, and afforded an opportunity of tendering the firſt oath of allegiance on behalf of the king. Many conſcientious people were loſt to the intereſt of congreſs, for want of this neceſſary tie. They did not conſider the aſſociation equally obligatory; but would have ſubmitted to any penalty rather than take the oath of allegiance to the king, had they been previouſly bound in the ſame manner to congreſs. He therefore ſtrongly recommended that every ſtate ſhould eſtabliſh ſome oath or affirmation of allegiance, to be tendered to all the inhabitants, and that thoſe who refuſed it ſhould be outlawed [c].

His proclamation.

In conformity to theſe principles, he iſſued a proclamation, commanding and requiring thoſe who, intimidated by threats, or deluded by promiſes, had ſigned a declaration of fidelity, taken oaths of fealty, and engaged not to bear arms againſt the king, to deliver up their certificates at head quarters, or at the quarters of the neareſt general, and take an oath of allegiance to the United States of America [d]. Licence was, however, given to ſuch as preferred the intereſt and protection of Great Britain, to withdraw with their families within the Britiſh lines [e]. The effects of this proclamation were inſtantaneous and extenſive: the inhabitants of the Jerſeys renounced the royal cauſe; ſeveral in revenge, joined the American army,

---

and the nature of their offences, together with the witneſſes to prove them: that the foregoing powers be veſted in general Waſhington for and during the term of ſix months from the date hereof, unleſs ſooner determined by congreſs."

[c] Waſhington's Letters, vol. ii. p. 25.

[d] An oath had already been preſcribed, 21ſt October 1776, for all perſons holding commiſſions or offices under congreſs, by which they renounced allegiance to the king, and ſwore fealty to the United States. See Annual Regiſter, 1777, p. 297.

[e] Ibid.

CHAP. XXXI.

while others rendered equal ſervice, by ſupplying proviſions and fuel, and conveying intelligence.

1777.

State of his army.

NOTWITHSTANDING all theſe advantages, the American levies proceeded with diſcouraging tardineſs; but general Waſhington achieved as much as art and activity could effect, for the ſecurity and accommodation of a ſmall force. He did not deſert his tried maxim, of preferring the ſpade and pick-axe to military weapons; and, in the courſe of the winter, extended his poſition from Morriſtown to Woodbridge, diſtant only three miles from the Britiſh quarters at Amboy, adding to the ſtrength and comforts of his ſituation by erecting forts, mills, and magazines, and haraſſing and inſulting the Britiſh, by ſkirmiſhing with their out-poſts, and cutting off their ſupplies; all which was effected by a feeble and ſickly army, not exceeding four thouſand [f].

Corps of loyal provincials raiſed.

THE negligence of ſir William Howe [g], who, while he commanded ſo fine and numerous a force, quietly ſubmitted to theſe indignities, has ſubjected him to animadverſions and imputations which he vainly endeavoured to repel. But if his inaction was diſgraceful, the period was not wholly unprofitable; as during that time Mr. Tryon, governor of New York, was aſſiduouſly and advantageouſly employed in raiſing corps of loyal provincials, among whom he received the rank of major-general. Theſe troops were not, it is true, experienced or well diſciplined; but they were, even in theſe reſpects, on a level with thoſe raiſed for general Waſhington, and the levies had the additional effect of creating alarm, and obliging congreſs to have recourſe to vigorous meaſures. The dread felt by that body, and the orders they iſſued

[f] Waſhington's Letters, vol. ii. p. 31. dated 20th Feb. 1777.

[g] The knighthood of the Bath was conferred on this general the 13th of October 1776: two other ribbands of the ſame order were meritoriouſly beſtowed on general (ſir Guy) Carleton, 6th July 1776, and general (ſir Henry) Clinton, 20th April 1777.

CHAP. XXXI. 1777.

reſpecting the royaliſts in Somerſet, Worceſter, Maryland, New England, and New York, form in fact, a ſevere cenſure on the conduct of general Howe; for had he effected any capital ſtroke, or even continually haraſſed and alarmed the enemy by repeated aſſaults, while they were deficient in ammunition and recruits, the danger and inconvenience of the ſervice would, in all probability, have prevented the acceſſion of numbers, and cauſed a general defection of the American army; while the people in the provinces would have exerted themſelves in giving preponderance to the Britiſh cauſe, as the means of reſtoring tranquillity, which they, above all things, deſired. Early in the ſpring, the hopes of the Americans were re-animated by the receipt of more than twenty thouſand ſtand of arms, and a thouſand barrels of gun-powder, from France.

The Americans ſupplied with arms from France.

THE manor of Courland, the moſt mountainous and inacceſſible part of the tract occupied by general Waſhington, was converted into a kind of citadel, where large quantities of proviſions, forage, and ſtores were depoſited; and about fifty miles from New York, up the North river, Peek's Kill ſerved as a port to Courland manor, by which ſtores and proviſions were received and conveyed to the army, or to the interior. A detachment of five hundred men, under colonel Bird, embarked in two tranſports at New York, to take poſſeſſion of this place. On their approach, the Americans, upward of ſeven hundred, retreated with precipitation, burning the barracks and ſtorehouſes. This loſs was incurred through a negligence of general Waſhington's injunction, not to accumulate ſtores in poſitions near to, or eaſily acceſſible from, the water.

23d Mar. Expeditions of the Engliſh.

To Peek's Kill.

ANOTHER expedition from New York, conſiſting of two thouſand men, under the command of general Tryon, aſſiſted by general Agnew, and Sir William Erſkine, was diſpatched to ſeize or deſtroy ſtores col-

25th Apr. Danbury.

CHAP. XXXI.

1777.

lected at Danbury. They landed two hours before midnight, and reached their place of deſtination at day-break. The enemy, taken unawares, and unprepared for reſiſtance, evacuated the town without oppoſition, and the Britiſh ſet fire to the ſtores, the conflagration of which was not completed till the enſuing morning[h]. During this interval, the Americans had collected a force from various quarters, and, under the command of general Arnold, intrenched themſelves at the town of Ridgefield, to oppoſe the Britiſh force in their retreat. Though this reſiſtance was unexpected, the entrenchments were carried with great ſpirit; Arnold's horſe was ſhot under him, and, while extricating himſelf, he was attacked with fixed bayonet by a ſoldier, whom he diſpatched with a piſtol. The Engliſh troops formed in an oblong ſquare, and reſted on their arms.

26th April.

27th.

THE enemy, conſiderably reinforced during the night, aſſailed them in the morning in every direction, from houſes and walls, and took poſſeſſion of a ſtone bridge, and the ground commanding a paſs beyond it, where, with the advantage of ſome field artillery, they preſented a formidable front. The Engliſh were, however, enabled to avoid this paſs, by fording the river three miles further up, but ſkirmiſhes were continued till they arrived within half a mile of the ſhipping. The detachment was now almoſt exhauſted with fatigue; three days and nights paſſed without repoſe, and ſeveral, unable to proſecute their march, had dropped on the road, when the Americans were ſeen in two diſtinct bodies, poſted to oppoſe their reembarkation. General Erſkine, at the head of four hundred men, ſelected from this enfeebled troop, attacked and put to flight, with conſiderable ſlaughter,

28th.

[h] The effects deſtroyed were 1,600 barrels of pork and beef, 800 barrels of flour, upwards of 2,000 barrels of wheat, rye, and Indian corn, a very conſiderable quantity of military cloathing, and 2,000 tents; a loſs which, from their ſcarcity, was ſeverely felt by the Americans. In their return, the troops deſtroyed about 70 barrels of flour, and 112 hogſheads of rum.

the

the oppoſing columns, whoſe panic prevented them from rallying and uſing their means of annoyance during the remaining march and embarkation. CHAP. XXXI. 1777.

THIS expedition reſembles, in many particulars, the affair of Lexington: the ſucceſs with which it was attended, did not compenſate for two hundred men and ten officers, killed and wounded. The loſs of the enemy was much more conſiderable; and general Wooſter, a veteran, who at the age of ſeventy, exerted himſelf with a degree of ſpirit and alacrity more conſiſtent with the meridian of youth, was numbered among the ſlain.

SEVERAL other ſlight enterprizes took place, attended with different degrees of ſucceſs, but of ſo little importance, in a general view, that it is only neceſſary to mention the names without entering into particulars, reſpecting Bondwick, Woodbridge, and Piſcataway. And other places. 12th and 19th April and 8th May.

THE Americans were in ſome meaſure revenged for their loſſes at Peek's Kill and Danbury, by the proſperous iſſue of an expedition to Sagg's harbour in Long Iſland, conducted by colonel Meigs, at the head of a hundred and ſeventy men, who, notwithſtanding a conſiderable reſiſtance, burned twelve brigs and ſloops, deſtroyed a large quantity of forage and other neceſſaries, killed ſix men, and with ninety priſoners returned without loſs. The celerity of this expedition was remarkable; for, beſide the labour accompliſhed, the party traverſed a ſpace of ninety miles by land and water, and returned within twenty-five hours. 24th May. American expedition to Sagg's harbour.

ALTHOUGH, congreſs had, in compliance with the ſuggeſtion of general Waſhington, voted a permanent army, they did not find the expected facility in raiſing troops. Thoſe employed in recruiting, through vanity or ignorance, made falſe reports of their ſucceſs; the new levies could not, by the moſt urgent remonſtrances, be prevailed on to quit, in the inclement ſeaſon of winter, their domeſtic comforts, for the ſake of performing an uncertain ſervice in the camp. The Difficulty of recruiting their army

CHAP. XXXI. 1777.

luxuries enjoyed in the Britiſh lines, joined to the temptations of a large bounty offered by the general, occaſioned many deſertions, and inſpired fears of more. General Waſhington, though animated with hopes of ultimate ſucceſs, thought it neceſſary to caution the congreſs, a body to whom ſuch an injunction would appear entirely ſuperfluous, to conceal the numbers of their army from the public: "Nothing but a good face," he ſaid, "and falſe appearances, have enabled us hitherto to deceive the enemy reſpecting our ſtrength[1]."

THE American general founded his flattering expectations on the increaſing attachment of the troops; their progreſs in military diſcipline; the favour reſulting to the cauſe from a protracted ſtruggle, in which not to be defeated was to conquer; the hopes of effectual aſſiſtance from France; and the certainty that congreſs, conſidering the army their ſole reſource, would no longer be reſtrained by a mean and rigid policy, from affording encouragement, and imparting all requiſite powers. Congreſs had now learned to excite emulation, and recompenſe ſervice by rewards and honorary notices. Funeral obſequies, and poſthumous memorials, were decreed to Warren, Mercer, and Wooſter: the exertions of general Arnold at Danbury procured him ſome promotion, and the public donation of a capariſoned charger; and the exploit of colonel Meigs was acknowledged by the gift of an elegant ſword.

9th June. Movement of Waſhington.

THE advance of ſpring enabled congreſs to augment general Waſhington's army to ſeven thouſand two hundred and ſeventy-two men; a ſmall number compared to the Britiſh force, but ſufficiently cheering to the enterprizing ſupporter of American independence, who, with leſs then half that number, had baffled and checked the very army which now oppoſed him, and raiſed the fortunes of his country from their

[1] This letter is dated 21ſt May 1777. See Waſhington's Letters, vol. ii. p. 77. And for the other facts in the above paragraph, the ſame vol. p. 46. 55. 67. 87.

loweſt

loweſt ebb. He removed from his encampment at Morriſtown to Middlebrook, extending his camp along ſeveral hills, which he ſtrongly fortified with entrenchments and artillery. He had the additional advantages of perceiving, from his poſition, every movement of the Britiſh on the Brunſwick Hills, of drawing ſupplies from a plentiful country in his rear, and of effecting, if neceſſary, a ſecure retreat over Hudſon river or the Delaware.

CHAP. XXXI. 1777.

SIR WILLIAM HOWE, who had hitherto neglected the obvious policy of attempting ſome enterprize againſt the foe, under pretence that "the green forage was not on the ground [k]", at length led forth his troops as far as Somerſet court houſe, but without a decided plan of operation. He might, if his opponent's poſition was deemed unaſſailable, have ſeized one of the communications from which the American drew his ſupplies, and afterward riſked a further attempt, or retired: but he made no effectual exertion, his troops carried with them victuals for only a few days, and ſpeedily returned to Brunſwick, burning ſeveral dwelling-houſes in their retreat, and continually haraſſed and inſulted by the American light troops.

12th June. Motion of the Britiſh army.

19th June.

DEEMING it impoſſible to force general Waſhington's ſtrong poſition, and failing in every attempt to provoke him to quit it, general Howe endeavoured to lure him by a ſtratagem equally well conceived and executed, though unſucceſsful in its reſult. He firſt relinquiſhed Brunſwick, and returned to Amboy, a manœuvre which deceived the Americans, and induced them to diſpatch large bodies under the command of generals Maxwell and Conway, and lord Sterling, to purſue him in his ſuppoſed retreat. The Engliſh general furthered the deception, by throwing a bridge acroſs the channel to Staten Iſland, over which he paſſed his heavy cannon, and a ſmall number of men. The purſuit was followed with great eagerneſs; and

Howe makes a feigned retreat.

22d June.

[k] Galloway's Letters to a Nobleman, p 60.

CHAP. XXXI.

general Washington, deluded by appearances, removed to Quibble Town, to co-operate with his other detachments. The British commander, considering this the moment of success, marched back his army by different routes, hoping to bring Washington to an engagement, to cut off his advanced parties, or, at least, to secure some passes in the mountains. For the last purpose, lord Cornwallis was dispatched with a considerable body; he fell in with a detachment of three thousand men, under general Maxwell and lord Sterling, strongly situated, and well provided with artillery, put them to the rout, and pursued them to Westfield; but general Washington frustrated his scheme, by regaining his station on the hills, and securing the passes.

1777. Action near Quibble Town.

26th.

On this disappointment, Sir William Howe returned to Amboy, and crossing over with his whole force to Staten Island evacuated the Jerseys.

28th. Howe evacuates the Jerseys.

During the suspension of hostilities, which ensued from this event, a gallant and well-concerted enterprize procured the Americans the means of exchanging, for general Lee, an officer of equal rank. The head quarters of general Prescott, governor of Rhode Island, were on the West, near Narranganset Bay, a quarter of a mile from the sea, where he lay in culpable negligence, a mile distant from any body of troops, without patroles on the shore, and depending only on a guard-ship in the bay for security. Lieutenant-colonel Barton, apprized of these circumstances, set out from Providence, with some officers and men, in two boats, proceeded across the bay unperceived, landed about midnight, surprized the centinel, seized the general in bed, and, without giving him time to put on his clothes, hurried him and his aid-de-camp on board, and effected his retreat unmolested, and, till out of reach, undiscovered.

Capture of general Prescott.

10th July.

All the operations of general Howe had not hitherto tended to remove or qualify the disadvantageous impressions occasioned by his tardy commencement

The British army embarks for the Delaware.

ment of the campaign; nor did his next exertion ap- CHAP. XXXI. 1777.
pear calculated to retrieve the diſgrace ſuſtained by the Britiſh arms in the evacuation of a province once entirely ſubjected to their force. This retreat exhibited the prepoſterous ſight of an unwieldy maſs, moving with heavy ſolemnity, and ſubmitting to injuries and indignities from a ſmaller force, rather than uſe the exertions requiſite to annihilate that force, or counteract the effects of its promptitude and activity. Contrary to the judgment of almoſt the whole army, the Britiſh troops, conſiſting of thirty-ſix battalions, and a regiment of light horſe, were, in the hotteſt period of the year, embarked in tranſports, and remained thus pent up five-and-twenty days before they reached the Capes of Delaware. The ſcheme of operation, which reaſon ſtrongly pointed out, and which general Waſhington himſelf moſt apprehended, was a junction with general Burgoyne in the North[1], this was not however intended: ſeventeen battalions, the new provincial corps, and a regiment of light horſe, under the command of general Clinton, were left at New York, and ſeveral battalions, ſtationed at Rhode Iſland. General Howe originally intended to proceed up the Delaware; but, receiving information that the navigation was impeded by the precautions of the enemy, he ſailed to Cheſapeak Bay. The periodical prevalence of ſoutherly winds rendered this tranſit no leſs difficult than ſubject to delays: nor did the fleet, till after a tedious paſſage enter the Cheſapeak, and gain the head of Elk, where the troops were diſembarked, and head quarters fixed at a village in the neighbourhood.

5th July.

20th.

24th Aug. Landed at the head of Elk.

28th.

ON landing, general Howe publiſhed a declaration, deſigned to remove the ill impreſſions made by reports of the conduct of his troops in the Jerſeys, promiſing protection to all who ſhould return to their homes; the obſervance of rigid diſcipline; and the ſevereſt puniſhments on thoſe who plundered or moleſted his majeſty's will diſpoſed ſubjects.

29th. Howe's declaration.

[1] See Waſhington's Letters, vol. ii. p. 125. et paſſim.

As

CHAP. XXXI. 1777.

As the intention of the Britiſh general to turn his arms againſt Philadelphia was no longer doubtful, general Waſhington, whoſe force was augmented to fourteen thouſand, uſed every effort, and reſolved even to hazard an engagement in protection of the centre of the American empire. From the head of Elk, Sir William Howe proceeded to Iron-hill, diſperſing the advanced guards of the enemy, and being joined by generals Grant and Knyphauſen, the united force moved forward in two columns.

3d Sept.

11th. Battle of Brandywine.

THE Americans retired before the Britiſh force, till they gained a ſtrong poſition under the cover of woods, with intervals of open ground on the oppoſite ſide of the Brandywine, a creek which runs into the Delaware at Wilmington, and which the Britiſh army muſt paſs in their route to Philadelphia. At Chad's Ford, where the paſſage was likely to be attempted, batteries were erected and intrenchments formed. To this place general Knyphauſen advanced with the ſecond diviſion, forced a detached body of the enemy, who had croſſed the river, to repaſs it under cover of their batteries, and commenced a briſk cannonade. This manœuvre was only a feint, to withdraw the attention of the Americans from a more effective operation; lord Cornwallis, with one column of the army, by a circuitous route, croſſed the forks of the Brandywine, and took the road to Delworth, leading on the right of the enemy. As ſoon as the ſucceſs of his lordſhip's attempt became obvious, from the cannonade in that quarter, and the evident confuſion in the provincial troops, general Knyphauſen, with his diviſion, gallantly paſſed the ford, and carried the batteries.

GENERAL SULLIVAN, with ten thouſand men, diſpatched by general Waſhington to oppoſe lord Cornwallis, took poſſeſſion of the heights above Birmingham church; his left reaching toward the Brandywine; his artillery judiciouſly poſted, and his flanks covered by woods. At four o'clock, the Britiſh army began the attack, and with reſiſtleſs impetuoſity drove the enemy

to

CHAP. XXXI. 1777.

to their foreſts for refuge: here they were reinforced, and aſſumed a new poſt, but were again, after a deſperate reſiſtance, compelled to yield to the efforts of Britiſh valour. The route was complete; the American army fled with precipitation, and in various directions, while the commander in chief, at the head of the corps he was enabled to keep together, eſcaped with his cannon and baggage to Cheſter, and paſſing by Derby to Philadelphia, for the purpoſe of recruiting his magazines and ſtores, croſſed the Schuylkill, and proceeded to the Lancaſter road. The loſs of the provincials amounted to three hundred killed, ſix hundred wounded, and near four hundred priſoners: that of the Britiſh was a hundred ſlain, and four hundred wounded. In the evening a party of Britiſh ſent to Wilmington, took Mr. Mackenlie, governor of the Delaware ſtate, out of his bed, and ſeized a ſhallop lying in the creek, loaded with the rich effects of the inhabitants, together with the records of the county, a large quantity of public and private money, and all the papers and certificates belonging to the loan and treaſury offices.

THE complete ſucceſs of this day was owing principally to the judicious manœuvre of Sir William Howe, who kept the enemy in a ſtate of ſuch uncertainty, with reſpect to his ultimate intentions, that no conſiſtent plan of oppoſition could be formed [m]. Lord Cornwallis alſo executed his orders with promptitude and happy effect, ſo that no adequate diſpoſition could be made for reſiſting his progreſs, and the troops he firſt encountered were defeated before they could be reinforced. In this battle, the foreign volunteers were conſpicuouſly engaged; la Fayette made his firſt military exertion in the American cauſe, and was wounded in the leg [n].

THE

[m] See Waſhington's Letters, vol. ii. p. 167.

[n] Idem, p. 168. Sir William Howe has been reproached, perhaps ſomewhat captiouſly, with having neglected to make the utmoſt poſſible advantage of the reſults of this day. Waſhington himſelf does not appear to have been of this opinion, and thoſe writers who cenſure the Britiſh general with the greateſt aſperity, allow, that

CHAP. XXXI.

1777. Efforts of the Americans to defend Philadelphia.

THE works for defence in Philadelphia were carried on with unremitting diligence, and, as a further protection, general Waſhington directed the meadows on Providence Iſland to be overflowed[o]. Sir William Howe advanced with caution, endeavouring, by frequant manœuvres, to diſtract the attention of the enemy, who conſtantly hovered before him, as if reſolved to riſk another engagement to ſave the city.

18th Sept. Near Warren Tavern, on the Lancaſter road, both parties drew up in order of battle; but a violent ſtorm of rain, which laſted a whole day and night, prevented the encounter, and the Americans, finding their ammunition ſpoilt by the weather, withdrew to a place of ſafety. Sir William Howe, thus diſappointed, marched toward the Swedes ford; the Americans again made a deluſive ſhew of oppoſition, which he diſregarding, moved toward Reading. General Waſhington, alarmed for the ſtores, took a new poſition, and left the Britiſh general in undiſturbed poſſeſſion of the roads leading to Philadelphia.

20th Sept. Surprize of general Wayne.

WHEN general Howe was preparing to proceed for this city, he received information that a party of fifteen hundred men under general Wayne was concealed in the woods, for the purpoſe of haraſſing his rear; and diſpatched major-general Grey to ſurpriſe them, which he effected in a moſt officer-like manner. To prevent untimely alarm, and confine his men to the uſe of the bayonet, the flints were taken from their pieces: the out-poſts were carried without noiſe, three hundred were killed, and a hundred captured: the remainder eſcaping with the loſs of all their baggage.

Capture of Philadelphia.

THE receipt of information by general Howe, at a time when general Waſhington could not obtain the

---

that although his troops were in general in good health and ſpirits, the horſes were in a moſt miſerable condition: but even the men, ſo long confined in tranſports in a hot ſeaſon, could not immediately undertake ſuch great exertions, as a rapid purſuit of the diſcomfited enemy would have required. See Galloway's Letters to a Nobleman, on the conduct of the war, p. 74; copied by Stedman, vol. i. p. 293. See Waſhington's Letters, on the day enſuing the engagement.

[o] Waſhington's Letters, vol. ii. p. 168.

leaſt

CHAP. XXXI. 1777.

leaſt intelligence of the movements of the Engliſh, proves deciſively the unpopularity of the American cauſe, even in the immediate ſeat of their government. General Howe, paſſing the Schuylkill with his whole army, proceeded to German Town, and, on the enſuing day, lord Cornwallis took undiſputed poſſeſſion of Philadelphia. Congreſs, who had reſumed their ſittings in the city, were again obliged to fly, firſt to Lancaſter, and afterward to York Town.

23d Sept. 26th. 27th.

THE non-reſiſtance of the Americans on this occaſion, muſt be imputed to their total want of information, with reſpect to the movements of general Howe; to the ſagacity of his manœuvres, which enabled him to gain ſo much ground in advance of the enemy, that it was in vain for general Waſhington to attempt overtaking his rear; to the judicious employment of his time ſince the battle of Brandywine, which kept the Americans haraſſed with perpetual marching: and to the inability of that army to attempt any energetic enterpriſe, from their miſerable condition, which extended even to a want of ſhoes, upward of a thouſand having performed ſeveral days duty entirely bareſoot[p].

ALTHOUGH the capture of Philadelphia was objected to as a meaſure more ſuited to the cloſe, than the commencement of a campaign, as the defence of it would require an army[q]; yet the poſſeſſion of that city and of German Town was of great importance, as it facilitated a communication between the northern and ſouthern provinces, and if the Delaware were opened, between the army and navy.

BY the advice of Dr. Franklin, the Americans had uſed extraordinary means to render the Delaware unnavigable, and the poſſeſſion of Philadelphia of no advantage. Thirteen gallies, two floating batteries, two zebeques, one brig, one ſhip, beſide a number of armed boats, fire-ſhips, and rafts were conſtructed or employed

Strong defence of the Delaware.

[p] See Waſhington's Letters, vol ii. p. 173.

[q] This fact juſtified Franklin's obſervation, that ſir William Howe had not taken Philadelphia; but Philadelphia had taken ſir William Howe. Ramſay, vol. ii. p. 14.

CHAP. XXXI. 1777.

for this purpoſe. The Americans had alſo built a fort, called Mifflin, and raiſed a conſiderable battery on Mud Iſland, which is admirably ſituated for the erection of works to annoy ſhipping in aſcending the Delaware. It lies near the middle of the river, about ſeven miles below Philadelphia; no veſſel of burthen can come up but by the main ſhip channel, which paſſes cloſe to Mud Iſland, and is very narrow for more than a mile below. Oppoſite fort Mifflin is a height called Red Bank, overlooking the river and the neighbouring country, on which a reſpectable battery was erected. Between theſe two fortreſſes, which are half a mile aſunder, the American naval armament made their harbour of retreat. Two ranges of chevaux de friſe were alſo ſunk in the channel, conſiſting of large pieces of timber, ſtrongly framed together, in the manner uſual for the foundation of wharfs in deep water. Several large points of barbed iron, projecting down the river, were annexed to the upper parts of theſe chevaux de friſe, and the whole was ſunk with ſtones, ſo as to be about four feet under water at low tide. Their prodigious weight and ſtrength could not fail to effect the deſtruction of any veſſel which came upon them. Thirty of theſe machines were ſunk three hundred yards below fort Mifflin, ſtretching in a diagonal line acroſs the channel. The only open paſſage between two piers, lying cloſe to the fort, was ſecured by a ſtrong boom, and could not be approached but in a direct line to the battery. Another fortification was erected on a high bank on the Jerſey ſhore, called Billingſport, and oppoſite to this, another range of chevaux de friſe was depoſited, leaving only a narrow and ſhallow channel on the one ſide. There was alſo a temporary battery of two heavy cannon at the mouth of Mantua Creek, about the midway from Red Bank to Billingſport.

1ſt Oct. Billingsport taken.

A DETACHMENT under colonel Sterling, croſſed the Delaware, and taking poſſeſſion of Billingſport without oppoſition, enabled captain Hammond of the Roebuck, partially

partially to remove the lower line of chevaux de friſe: but the two upper lines ſtill remained, with the forts which defended them, in poſſeſſion of the Americans. Such was the poſition of affairs, when lord Howe, after a boiſterous paſſage, arrived with his fleet from the Elk river, and anchored on the weſtern ſhore, from the town of Newcaſtle down to Reedy Iſland. CHAP. XXXI. 1777.

AT this period, general Waſhington having gained intelligence, through two intercepted letters, of the expedition againſt Billingſport, and received reinforcements of fifteen hundred men from the forts in the iſlands by way of Peek's Kill, and one thouſand from Virginia, decamped at ſeven in the evening from Skippack Creek, diſtant about ſeventeen miles, and at dawn of day attacked the fortieth regiment, poſted at the head of German Town, and obliged them to retreat. The commanding officer, lieutenant-colonel Muſgrave, placed five companies in a large ſtone houſe in the village fronting the enemy, thus arreſting their career, while the Britiſh troops got under arms. General Waſhington ſurrounded this houſe with a brigade, and four pieces of cannon, but colonel Muſgrave refuſed to ſurrender, and from the windows did conſiderable execution till aſſiſtance arrived. The Americans were ſoon defeated, and compelled to retreat: which, by favour of a thick fog, they effected with all their artillery: their loſs amounted to fourteen hundred killed, wounded and priſoners; that of the Britiſh to ſix hundred, including general Agnew and colonel Bird. General Waſhington was guilty of an egregious error in delaying his progreſs to beſiege the ſtone houſe; if he had left a corps to obſerve it, and proceeded with his main force, the total defeat of the Engliſh army was extremely probable. Action at German Town. 3d Oct. 4th.

THE grand object of freeing the navigation of the Delaware was eagerly purſued by the Engliſh, and no leſs vigorouſly oppoſed by the enemy. General Waſhington, deſpairing of making another effectual attack Attack on Red Bank.

on

CHAP. XXXI.

on the Britiſh force, detached large reinforcements to the garriſons, and encouraged exertion by liberal promiſes of reward. Since the capture of Billingſport the Americans had negligently been permitted to fortify Red Bank, which was now attacked by a detachment under count Donop, a brave and high ſpirited German officer. He advanced to the aſſault through a moſt tremendous fire, not only from the works, but from the gallies and floating batteries on the river; drove the enemy from an extenſive out-work, and compelled them to take ſhelter in the redoubt, which for want of ſcaling ladders could not be forced; and it was owing to this unpardonable neglect, that this reſolute band had the mortification of ſeeing the fruits of their gallantry elude their graſp. The brave Donop, extended on the earth, his thigh fractured by a muſket ſhot, could not accompany his troops in their retreat, which was no leſs perilous than their onſet: he fell into the hands of the enemy, and expired in a few days.

1777. 22d Oct.

Loſs of the Auguſta and Merlin.

THE loſs of land forces in killed and wounded was about four hundred; but this was not the whole amount of the diſaſter. Several ſloops of war were ordered to move up the river to aſſiſt in the attack; two of them, the Auguſta and Merlin, ran aground; on the following morning, during an attack from the enemy, the Auguſta took fire, and blew up with a few of the crew; and all efforts to float the Merlin failing in their effect, ſhe was abandoned and burnt.

23d.

The enemy's forts at length taken.

PREPARATIONS for reducing Mud Iſland proceeded ſlowly, on account of the natural impediments; and when they were finiſhed, ſome days elapſed before the fleet could co-operate in the attack. At length, a vigorous cannonade, in every direction, compelled the enemy to retire; the redoubt at Red Bank was abandoned on the approach of lord Cornwallis; the greater part of the American veſſels were burnt; the chevaux de friſe were with difficulty weighed, and the Delaware at laſt opened.

15th to 17th Nov.

GENERAL

CHAP. XXXI.

1777. Waſhington encamps at White Marſh. 4th to 9th Dec.

GENERAL WASHINGTON being reinforced by four thouſand men from the northern army, encamped at White Marſh, an advantageous ſtation, about fourteen miles from Philadelphia. General Howe, in hopes of bringing him to an engagement, quitted Philadelphia, and hovered for ſeveral days about the American camp, forcing their out-poſts, and endeavouring by every manœuvre to urge them to action, but finding all his efforts unavailing, he returned to the city, and general Waſhington, unwilling to relinquiſh his ſtrong poſition, ſuffered the rear of the Engliſh to retire unmoleſted.

Huts his army at Valley Forge.

AT the cloſe of the year, the American commander removed from White Marſh to Valley Forge, where he took up his winter quarters. He preferred this ſituation to a more comfortable and convenient reſidence in Lancaſter, York, or Carliſle, becauſe it afforded him better means of repreſſing the diſpoſition of the country, to deſert the cauſe of congreſs, and narrowed the influence of the Britiſh commanders to the very ſpot of their reſidence. His troops were in a ſtate of ſuch deplorable miſery, that their march from one place of encampment to the other might be traced by the blood which their bare feet left on the ſnow, and hundreds were without blankets. It affords a ſtrong proof of general Waſhington's influence over theſe men, that he not only induced them to brave with him the inclemency of a whole winter, but to undertake the difficult and unuſual taſk of building huts for their reſidence, as a ſubſtitute for tents: nor is it leſs honourable to the character of this chieftain, that once only, on an urgent neceſſity, he ventured to ſupply the wants of his troops by a compulſory requiſition; he took this ſtep with regret, and teſtified, without delay, his repugnance ever again to practiſe a ſimilar expedient[r].

[r] See Waſhington's Letters, vol ii p. 222.

CHAP. XXXI.

1777. Sir William Howe retires into winter quarters.

ON the part of the Britiſh commander the tranſactions of the campaign might be conſidered glorious. He began late, and is accuſed of not extracting the utmoſt advantage from his ſucceſſes; but he gained two brilliant victories in the field, drove the enemy before him, took the city which was the ſeat of government, and repeatedly braved the American army to a new conflict; yet the Britiſh cauſe was not advanced; the rival army maintained a poſition within eighteen miles of the city, and all general Howe's advantages were reduced to the acquiſition of comfortable winter quarters in Philadelphia.

Campaign of the Canadian army.

GENERAL BURGOYNE conducted the campaign in the North: his appointment was inauſpicious, as it occaſioned a meritorious and eſteemed officer, Sir Guy Carleton, to reſign his government in diſguſt. From this expedition, and the proſperous ſituation of affairs at the end of the laſt ſeaſon, the higheſt expectations were formed; a body of ſeven thouſand one hundred and ſeventy-three veteran troops, excluſive of a corps of artillery, abundantly ſupplied, and led by ſelect and experienced officers, was ſent from England; and vaſt quantities of military ſtores were furniſhed for the uſe of Canadians who ſhould enter the Britiſh ſervice.

Obſervations on the employment of ſavages.

SEVERAL nations of ſavages, on the back ſettlements and borders of the Weſtern lakes, joined this army, a tranſaction which was ſeverely cenſured in print, and in the Britiſh ſenate. In the declaration of independence, the American congreſs made ſimilar complaints, but without ſufficient reaſon. The employment of ſubſidiary forces in any war, foreign or civil, is a practice in which all nations concur, and againſt which, in general, no arguments are advanced, except ſuch as ariſe from prejudice and party heat. The Indians had been engaged in former wars by the Americans, the French, and the Engliſh, without exception or reproach. But in the preſent caſe, it was

ſaid

ſaid that the Americans being our brethren, and the Indians untutored and remorſeleſs ſavages, they ought not to have been retained as the allies of Britain. From reiterated wrongs, from cruelties and injuries, which degrade thoſe who practiſe them far more than merely following the impulſes of uncultivated nature, theſe ſavages were become the inveterate and implacable foes of the American coloniſts. The earlieſt accounts from the American ſettlers are replete with narratives of wars between them and the natives, with accounts of efforts to cajole them into ſubjection, and of maſſacres which enſued from their endeavours to maintain undiſturbed poſſeſſion of their own territories. The force and purſe of Great Britain had often been exerted in defending the coloniſts againſt theſe ſavages; and the Americans, with wicked policy, called in, for their ſubjugation, an ally more effective and dreadful than the muſket or the ſword—the ſmall pox; with which contagion they contrived periodically to infect theſe ignorant people [1]. A ſtate of hoſtility was therefore natural between the Americans and the ſavages, and no more was neceſſary than for Great Britain to withdraw her forces from protecting the colonies, to incline them to take up arms. Their ferocity in victory was more than counterbalanced by their unſkilfulneſs in conflict; and perhaps was groſsly exaggerated, in order to furniſh popular topics of declamation, and give foundation for the accuſation urged againſt the king in the declaration of congreſs.

In this mode of conſidering the ſubject, perhaps the uſe of ſuch auxiliaries might be juſtified in the abſtract; but, in fact, the Americans had no right to complain, for they firſt aſſociated the ſavages with them in attacking the Engliſh. None of theſe people were engaged in the king's ſervice, till the action at the Cedars, in 1776; whereas in the campaign of the preceding year, a body of Indians was brought down

[1] Tucker's Tract, v. Dedication, p. vi.

CHAP. XXXI. 1777.

againſt his majeſty's troops in New England and the Northern provinces. The committee of Carolina, early in the ſame year, ſent a deputation to the Cherokees, not merely to engage them to take up arms, but alſo to invite the aſſaſſination of an offenſive individual. Early in 1776, an attack was alſo made on the Iſle of Tybee by Indians, and Americans diſguiſed like them, who with their habit adopted their manners, and ſcalped ſeveral mariners and a ſhip's carpenter[t]. In fact, it appears from incontrovertible evidence, that from the firſt moment of reſolving on hoſtilities, the Americans were anxious to employ the Indians on their ſide; that they maintained an active intercourſe with them, by means of miſſionaries, and when they found at laſt, that the Engliſh, having more reſources, and a greater facility in making preſents, could more effectually attach the Indians to their cauſe, they reluctantly gave up the attempt, and contented themſelves with requiring only their friendſhip and neutrality[u].

Burgoyne's preparations.

As it was general Burgoyne's intereſt to keep his regular troops as much as poſſible together, the inhabitants of Canada were obliged to furniſh men ſufficient to occupy the woods on the frontiers, prevent deſertion, procure intelligence, and intercept all communication between the enemy and the malecontents in the province. They were alſo required to provide men for the completion of the fortifications at Sorel, St. John's, and Iſle aux Noix, and horſes for the carriage of proviſions, artillery, and ſtores, and were employed in repairing the roads which were deſtroyed by theſe preparations.

20th June. He arrives at Crown Point.

HAVING completed theſe arrangements, general Burgoyne departed from St. John's, preceded by a naval force, under commodore Lutwych, which the

[t] Anſwer to the declaration of the American congreſs. p. 109.

[u] Waſhington's Letters, vol. ii. p. 48. 274. See alſo a very candid account of all the tranſactions between the inſurgents, the Britiſh, and the ſavages, in Ramſay's Hiſtory of the American Revolution, vol. ii. c. xviii.

enemy

CHAP. XXXI.

1777.

enemy could not oppoſe; and the troops being landed without reſiſtance, were encamped at and near Crown Point.

War feaſt.

In this poſition, the general gave a war feaſt to the Indians, accompanied with an exhortation to abſtain from cruelty, and iſſued a proclamation, ſomewhat pompous and florid, but in its general tenor ſufficiently moderate. It diſplayed the motives by which Great Britain was impelled to take up arms, deſcribed, in animated terms, the tyranny, cruelty, and hypocriſy with which, under pretence of ſecuring liberty, and promoting the cauſe of religion, the congreſs oppreſſed the people of America. It promiſed encouragement and employment to thoſe who would arm in the Britiſh cauſe, protection to the domeſtic, induſtrious, infirm, and even to the timid, provided they would remain at home, and offer no impediment to the progreſs or ſupplies of the army; and engaged that payment in ſolid coin, at an equitable rate, ſhould be made for all proviſions brought to the camp. The health, diſcipline, and valour of the troops were deſcanted on in boaſtful phraſe; the celerity and certainty of deſtruction by the Indian forces were exhibited in a figurative ſtyle, analogous to their mode of oratory; and the vengeance of the ſtate was denounced againſt thoſe who, notwithſtanding the conciliatory endeavours of the general, ſhould ſtill continue infected with the frenzy of hoſtility. "The meſſengers of juſtice, and of wrath," he ſaid, "await them in the field; and devaſtation, famine, and every concomitant horror, that a reluctant, but indiſpenſable proſecution of military duty muſt occaſion, will bar the way to their return." As general Burgoyne's force conſiſted of Britiſh and German regiments, with light troops compoſed of Indians and Canadians, the object of this verboſe proclamation was, at once to ſtimulate general exertion in a cauſe felt only by the Britiſh corps as a matter of national intereſt, and to alarm the enemy, on account of the probable

29th June. Proclamation.

CHAP. XXXI.

consequences of an Indian attack, however restrained by the general's regulations, and the promises of their chiefs.

1777. Fortifications of Crown Point and Ticonderoga.

THE Americans, since they had obtained possession of Ticonderoga and Crown Point, had increased the strength of the fortifications, and extended the means of defence by works on Mount Independence, which they had united to Ticonderoga by a strong bridge of twenty-two sunk piers. Had these fortifications been sufficiently manned, they could long have withstood all the efforts of the British army; but general St. Clair had only three thousand four hundred and forty-six Americans, including nine hundred militia. badly equippid and worse armed, for the defence of positions which required three times that number.

30th June. They are captured.

ON his arrival at Crown Point, general Burgoyne issued orders to his army, in which he told them that the services required were critical and conspicuous; occasions might occur, in which nor difficulty, nor labour, nor life, were to be regarded, but the army must not retreat. His first object being the capture of Ticonderoga, in a few days he had nearly surrounded the works of that fortress, by the German regiments under general Reidesel, and of Mount Independence with the British: while general Philips erected a battery on Sugarloaf Hill, which in a great degree commanded both, though not nearer than sixteen hundred yards. The Americans, for want of numbers, had not been able to occupy this height. Thus circumstanced, St. Clair called a council of war; and his officers unanimously agreeing that their whole force could not, even if on constant duty, prevent the capture of the

5th July. Pursuit of the enemy. 6th.

place, a retreat was effected by night toward Skenesborough, the baggage, provisions, and stores, being dispatched in batteaux. When the dawn enabled the British forces to discern this unexpected event, a pursuit was commenced; commodore Lutwych removed some ponderous, but imperfect obstructions sunk in the

the water; and major Carter of the Britiſh artillery, with gun-boats manned as in the preceding year, overtook part of the enemy's veſſels at Skeneſborough, captured five, and obliged them to deſtroy all their preparations at that place. General Burgoyne advanced with the main body to South Bay, which the enemy evacuated, ſetting fire to their mills, works, and ſtorehouſes.

7th. Action between general Frazer and colonel Francis.

BRIGADIER-GENERAL FRAZER, being detached to purſue the fugitives by land from Mount Independence, overtook their rear, conſiſting of fifteen hundred choſen troops, under the command of colonel Francis, and commenced an engagement near Huberton, though greatly inferior in numbers: the arrival of ſome Germans under general Reideſel, who, by a feint, made his force ſeem greater than it really was, decided the day; the Americans precipitately fled; their commander, ſeveral other officers, and two hundred men were killed; a ſimilar number captured, and ſix hundred are ſuppoſed to have died of their wounds undiſcovered in the woods. Another diviſion of the garriſon was purſued by colonel Hill, who routed them with great ſlaughter, compelling them to retreat to the heights of Fort Edward, after ſetting fire to Fort Anne. On the defeat of colonel Francis, general St. Clair, after a fatiguing march, joined general Schuyler at Fort Edward, where the whole American force, including militia, did not exceed four thouſand four hundred men[x]; and if the country, within a reaſonable diſtance, could have been reckoned upon for the ſubſiſtence of an army, general Burgoyne might have followed his ſucceſſes, and effectually prevented the formation of any American corps, to check the progreſs of his troops to New York, unleſs general Waſhington moved againſt him. But as the obtaining of neceſſaries could not be rendered certain, his ſole dependence was on ſupplies of ſalt proviſions from

[x] St. Clair was tried by a court-martial for cowardice, incapacity, and treachery, in evacuating Ticonderoga, but honourably acquitted.

CHAP. XXXI.

England, brought through Canada, and over the lakes Champlain and George, with infinite labour.

1777. Delays and difficulties of Burgoyne's army.

Pursuing his route to Albany, by the road leading from Skenesborough to Hudson's river, general Burgoyne experienced inconceivable difficulties and delays. The distance was only a few miles; but nature and the efforts of the enemy had clogged it with accumulated obstacles. The Americans, under the direction of general Schuyler, felled large trees from a continued forest on both sides of the road, and into Wood Creek, so as to fall across with their branches interwoven. The face of the country being broken with creeks and marshes, they had no less than forty bridges to construct, one of which was over a morass, two miles in extent. This difficult march could not be avoided in passing from Skenesborough to Fort Edward. It was not possible to proceed by the side of lake George, (there being no road for thirty-six miles) and boats must have been drawn for the army over land by men, from Saw-mill Creek, on like Champlain, into lake George, a distance of nearly two miles. This decided general Burgoyne to proceed in two columns, the troops in general passing by Skenesborough, while the small corps, for which boats could be got into lake George, took that route, covered by some artillery in gun-boats. The Americans had a force of that kind on the lake, but finding it insufficient for resistance, destroyed it as the British advanced.

14th to 29th July. The Americans recruit their army.

This slow progress afforded the Americans time to recruit their forces, and revive enthusiasm. The discomfited and retreating army was reduced to two thousand seven hundred men: but, placed between the inhabitants and the British general, they formed a point of rendezvous, and abated the panic of the people; their exertions verified the observation of general St. Clair on abandoning Ticonderoga, that he had lost a post, but saved a state[y]. General Burgoyne

[y] See his letter to congress, Remembrancer, vol. v. p. 357.

having

having iſſued a proclamation, requiring deputations of ten perſons from each townſhip to attend him at Skeneſborough, general Schuyler publiſhed a counter-proclamation, reciting with exaggerations the violences committed by the Britiſh army in New Jerſey, exhorting the people not to attend to the promiſes of the general, on pain of being conſidered traitors, and commanding the militia to join him without delay. Theſe demands were more than complied with; an univerſal alacrity prevailed; the formalities of convening, draughting, and appointing officers were diſpenſed with; and numbers flocked in with their arms, on the mere perſuaſion of general danger. The employment of ſo large an Indian force, without letting them uſe their naturally cruel mode of warfare, and the conſequent appearance of exaggeration in diſplaying its terrors, contributed to this effect in the minds of the Americans, while the Indians, deprived of plunder and ſcalps by general Burgoyne's injunctions, gradually deſerted when no more preſents were expected; and, as ſome were fifteen hundred miles diſtant from home, an early retreat was neceſſary to reach their reſidence before the upper lakes were frozen.

CHAP. XXXI.

1777. 10th July. Proclamation by Burgoyne; and Schuyler.

THE New England ſtates being very populous, an army poured in from the woods and mountains as well as the towns, which, by reinforcements from other provinces, ſoon amounted to thirteen thouſand men; inflamed by daily declamations againſt Britiſh and Indian cruelty [z], and animated with the hope that the royal army,

[z] The principle inſtance of Indian cruelty, and which was copiouſly deſcanted on both in America and England, was the ſtory of Miſs Macrea. This unfortunate event, diveſted of all rhetorical and party appendages, is thus related by Ramſay: (Hiſtory of the American Revolution, v. ii. p. 37.) "This young lady, in the innocence of youth, and bloom of beauty; the daughter of a ſteady loyaliſt, and engaged to be married to a Britiſh Officer, was, on the very day of her intended nuptials, maſſacred by the ſavage auxiliaries attached to the Britiſh army. Mr. Jones, her lover, from an anxiety for her ſafety, engaged ſome Indians to remove her from among the Americans, and promiſed to reward the perſon who ſhould bring her ſafe to him, with a barrel of rum. Two of the Indians who had conveyed her ſome diſtance, on the way to her intended huſband, diſputed which of them ſhould preſent her to Mr. Jones. Both were anxious for the reward. One of them killed her with his toma-

CHAP. XXXI.

1777.

army, by puſhing forward through a country deſtitute of proviſions, would, in the end, be incapable of advancing or retreating, for want of ſupplies.

Siege of Stanwix.

WHEN general Burgoyne quitted Canada, brigadier-general St. Leger was detached with two hundred Britiſh, two hundred American loyaliſts, and a number of German chaſſeurs, to meet four hundred Indians, making up a force of about a thouſand men. He proceeded by the river St. Lawrence, and croſſing lake Ontario, between Niagara and Oſwego, inveſted Fort Stanwix with this force, and eight light field pieces, not being able to carry a beſieging artillery, and hoping to ſucceed by an aſſault, or through the terror occaſioned by the Indians. A party of militia ſent to raiſe the ſiege, under the command of general Harkimer, were defeated by the Indians in a very gallant action, but they loſt a great many of their warriors, and the garriſon, unawed by the failure of this attempt, and undaunted by inſinuations of the ungovernable ferocity of the Indians, refuſed to ſurrender. Two enterprizing officers, lieutenant-colonel Willet, and lieutenant Stockwell, paſſing by night, undiſcovered, through the works of the beſiegers, imparted to general Schuyler the ſituation of the fort. A body for its relief had already been diſpatched under general Arnold; but before their arrival general St. Leger had relinquiſhed the attempt. A perſon deputed from the garriſon alarmed the Indians by accounts of the vaſt force which was coming to attack them; and made ſuch a deep impreſſion, that part of them decamped, and the reſt threatened to follow, unleſs the Britiſh commander would retreat. Being thus deſerted by a great part of his force, he was obliged to abandon his operations with ſuch precipitancy, that the tents and conſiderable quantities of

6th Aug.

22d Aug.

tomahawk, to prevent the other from receiving it. Burgoyne obliged the Indians to deliver up the murderer, and threatened to put him to death. His life was only ſpared upon the Indians agreeing to terms, which the general thought would be more efficacious than an execution, in preventing ſimilar miſchiefs."

ſtores

ſtores fell into the hands of the garriſon. The Indians, whoſe barbarities, which the ſevereſt injunctions could not reſtrain, and which were reported with malignant exaggerations, had been highly prejudicial to the Britiſh cauſe, finding themſelves diſappointed of other plunder, began pillaging the baggage and proviſions of the Britiſh troops. Such was the termination of an enterprize from which general Burgoyne expected a diverſion in the firſt inſtance of the enemy's force, and finally an addition to his own by a junction with general St. Leger, at the point where the Mohawk river falls into the Hudſon's, between Saratoga and Albany. 1777.

Expedition to Bennington.

DURING this atempt upon Fort Stanwix, general Burgoyne conceived that a rapid move forward would be productive of great advantages; but the difficulty of enſuring proviſions, and the want of ox-teams, carriages, and other neceſſaries, making that a moſt hazardous undertaking, he was induced to ſend a party for the purpoſe of obtaining a ſupply from the enemy's ſtores near Bennington. Deluded by erroneous ſtatements of the amicable diſpoſitions of the country, he detached a force conſiſting of only ſix hundred men. The Germans were ſelected for this purpoſe, as the country was equally favourable for their employment in this as any other detached operation from the main force, and general Reideſel's own diſmounted regiment of dragoons formed a part of the force in order to procure horſes, as general Burgoyne had no other cavalry. The whole was commanded by colonel Baum. On the ſecond day of his march, after obtaining ſome ſlight ſucceſſes, he was informed that the enemy were aſſembling in great force from New Hampſhire and the borders of Connecticut, for the defence of Bennington. He therefore halted at Walloon Creek, and after taking the beſt poſition in his power at St. Creik's Mills near Bennington, diſpatched a meſſenger to apprize general Burgoyne of his ſituation. A body of five hundred German grenadiers and light

Defeat of colonel Baum;

infantry

CHAP. XXXI. 1777.

infantry was ſent to his ſuccour, under lieutenant-colonel Breyman; but owing to bad roads, and other impediments, this corps did not advance twenty-five miles in thirty hours; and before their arrival, Starke, an American general, who was proceeding with troops from New Hampſhire and Maſſachuſet's Bay, to reinforce general Schuyler, deviating from his route, joined colonel Warner at Bennington. Colonel Baum, attacked by their united forces, made a vigorous defence, endured a galling fire of muſketry for near an hour, and three times drove the enemy from commanding ground; but their numbers continually augmenting, and the colonel's force being decreaſed by the deſertion of the Indians and other irregular corps, the Germans were at length broke and driven into the woods, leaving their commander mortally wounded on the field. The victors immediately advanced to the attack of colonel Breyman, who expended all his ammunition in a gallant reſiſtance, and was then compelled to ſeek ſafety by retreating to the main army, which advanced to receive him at Batten Hill. The loſs in theſe two actions was ſix hundred men. The misfortune was principally owing to the accidental paſſing of general Starke's corps, and the difficulties which prevented Breyman from reaching Baum before he was attacked, by which they were defeated ſeparately. It has been objected to general Burgoyne that he ſent German regiments on this buſineſs. The truths of their cloſe formation unfitting them for wood fighting, and their being heavily armed, are unqueſtionable, but the Germans formed half the army, and were growing jealous at not being confided in for detached duties. Their dragoons were ſent from England to mount themſelves for ſervice, from which it appears that they were originally ſelected to act in the moſt woody part of the country; though their ſervices were on this occaſion unfortunately miſapplied by the general. Neceſſity probably occaſioned the whole diſaſter. Miniſters could diſpatch no other troops but Germans, and general

and Breyman.

neral Burgoyne was compelled to employ them; but an army compoſed of different nations and intereſts, could not be relied on for exertions in proportion to its numbers. CHAP. XXXI. 1777.

THIS misfortune, and the failure of general St. Leger's operations, formed the leading features in the ruin of general Burgoyne's expedition, and he heard of both nearly at the ſame time. The expedition againſt Bennington proved that the Brunſwickers could not well be employed ſeparately, and the Americans felt leſs apprehenſion at that ſuperiority of diſcipline which in an open country would have given the Germans a decided advantage. A party of American loyaliſts, on their way to join general Burgoyne attached themſelves to colonel Baum's corps, and were deſtroyed with it, which prevented, in a great meaſure, ſimilar attempts to join the royal army. The Canadians and Indians who effected their retreat from Baum and Breyman's corps, detailed with exaggeration the valour of the Americans who had driven them back, and diſpirited their countrymen who had not been in action, ſo that a very extenſive defection took place among the Indians, and the Canadian boatmen and drivers employed with the army took every opportunity to return home, although it was known that many were killed by the Indian deſerters, who thus obtained a ſcalp to exhibit as a trophy[a]. Effects of theſe diſaſters.

THE Americans, on the other hand, unuſed to ſucceſs for a long period, felt its full force, and flocked to the ſtandard of general Gates, whom congreſs had appointed to arreſt the progreſs of the Britiſh and German forces. Gates commands the Americans.

[a] The manner of obtaining theſe barbarous trophies is no object of conſideration among the Indians, cunning being as much reſpected as valour by a people whoſe ſubſiſtence depends principally upon hunting. For this reaſon the rewards which Burgoyne gave to the Indians for living priſoners bore no eſtimation in compariſon with their ſcalps, and great diſguſt was occaſioned by reſtricting them in this point; at leaſt it was made a ſtrong ground for quitting him: ſo that while he was abuſed by the Americans for cruelty, the Indians deſerted him for the want of it, and thus he ſuffered the uſual inconvenience which attends half meaſures.

GENERAL

CHAP. XXXI.

1777.

General Burgoyne, who had croſſed the Hudſon's river, by a bridge formed of felled trees, cut in lengths and faſtened together, fell back upon Duer's Houſe, to cover the convoy of proviſions from Canada, and having no other reſource in contemplation, except the co-operation of general Howe's army, ſent an officer to Albany for intelligence.

Burgoyne croſſes Hudſon's River.

Having by immenſe labour collected a month's ſalt proviſions, general Burgoyne, under all theſe diſcouragements, determined to advance, according to inſtructions, which he conceived to be ſo peremptory, and connected with the general operations of the king's forces in America, that he did not even attempt to ſhelter himſelf under the opinion of a council of war, but again croſſed the Hudſon's, and took poſt on the heights of Saratoga, giving up all communication with his magazines in Canada.

13th Sept. Advances to Saratoga.

After paſſing ſome days in repairing roads, or approaching the American forces, general Burgoyne's army again advanced in ſeveral columns, the grenadiers, light infantry, ninth, twentieth, twenty-firſt, twenty-fourth, and ſixty-ſecond Britiſh regiments on the right, with their artillery, taking two roads on the heights, and through the woods, to Freeman's farm. The German regiments of Rhetz, Specht, Reideſel, and Heſſe Hanau, infantry, with Breyman's grenadiers and chaſſeurs, and part of the forty-ſeventh Britiſh regiment, followed the great route to Albany by the river ſide, for the ſecurity of the baggage and proviſions, floated down in boats, or drawn in carriages on this, the only good road.

19th. Battle of Still Water.

Of the five hundred Indians originally with the army, not more than fifty now remained, who were attached to the Britiſh column on the right, with two hundred American loyaliſts, and eighty Canadian light infantry.

About noon, the Americans, under general Arnold, who, the preceding day, had fired upon ſome ſtraggling

glers, attacked the Britiſh corps with great ſpirit, and a ſevere conflict continued until duſk, when Philips, who commanded the left column, brought up the Germans to join in a general charge, which was completely ſucceſsful, the Americans being driven within their lines. This advantage was, however, dearly purchaſed, moſt of the artillery-men were killed at their guns, and the ſixty-ſecond regiment loſt more than two thirds of its effective ſoldiers; the other Britiſh corps alſo ſuffered in a great proportion, and in the courſe of this day, general Burgoyne's force ſuſtained a loſs of more than ſix hundred men.

THE Americans certainly loſt an equal number, but they had now tried their ſtrength with every nation oppoſed to them, and general Burgoyne being obliged to halt, for the collection and care of his wounded, produced the effect of a defeat, and encouraged a ſpirit of enthuſiaſm throughout the New England ſtates, which general Gates ſoon felt by reinforcements of every deſcription, many perſons even bringing their own proviſions, as well as ammunition, to his army.

18th Sept. The Americans deſtroy the tranſports.

A FURTHER misfortune had befallen general Burgoyne, on the day preceding this action, the Americans having ſecretly detached a corps to his rear, ſurpriſed three companies of the fifty-third regiment, and deſtroyed the boats on lake George, which had been employed in the conveyance of proviſions; and though unequal in numbers, and wanting artillery for the capture of Ticonderoga, an attempt was made upon it, as well as Diamond Iſland, in the middle of the lake, where there was a depôt of ſtores for the Britiſh army.

THUS, in fact, was the retreat of general Burgoyne effectually prevented; and with a ſuperior army in his front, he judged it prudent to wait events and intelligence from the ſouthward, ſtrengthening the poſition which he had taken after the action of the 19th of September, between Freeman's Farm and Still Water.

FINDING

CHAP. XXXI.

1777. 3d Oct. Increasing difficulties of Burgoyne.

FINDING his difficulties daily augmenting, his numbers diminished to less than six thousand, and reduced to half the usual allowance of provisions, the forage exhausted, horses perishing for want, and no apparent prospect of relief, general Burgoyne resolved on a desperate attempt to dislodge the enemy from their post on the left. In order to cannonade them out of their position, he advanced with fifteen hundred men; but this detachment had scarcely formed within half a mile of the enemy's intrenchments, when they were suddenly attacked by a superior force under general Arnold, and obliged to retreat to their camp with the loss of six pieces of cannon. They had hardly gained the lines, when a furious assault was made on them by the Americans, which was repulsed in the English quarter, and Arnold wounded; but the German intrenchments were carried, colonel Breyman killed, about two hundred prisoners taken, and general Frazer mortally wounded.

7th Oct. His attempt to extricate himself.

His lines attacked.

Changes his position.

THUS critically situated, general Burgoyne changed his position, with great ability and celerity, in the night after the action; the enemy consequently made a new disposition, but although greatly superior in numbers, and elated with success, prudently declined an engagement, in hopes of surrounding the British army. General Burgoyne, perceiving this intention, fell back in two day's march by Dovegot House to Saratoga, unopposed by the enemy, breaking the roads and bridges in his retreat. Being unable to remove the wounded, who were very numerous, for want of carriages, he left them in tents, under the care of Dr. Hayes, as head of the medical department, with assistants equally well chosen, and orders to send out a flag of truce, conveying a recommendation of them to the humanity of general Gates and his army, in which general Burgoyne's expectations were perfectly realized. Thus disembarrassed, he halted at Saratoga; precluded from a retreat to lake George, or Skenesborough, by a corps of Americans, collected in force on the oppo-

8th Oct. Falls back to Saratoga.

ſite ſide of Hudſon's river, which equally prevented an endeavour once thought of to retire in the night to Fort Edward, and wait events. This march was in ſome meaſure arranged, each ſoldier being directed to carry a few days proviſions on his back, but it was afterward given up, when it was diſcovered that the heights of Fort Edward, and all other communications with Canada, were occupied by the Americans, and that, even in the event of ſucceſsfully reaching Fort George, the army muſt ſurrender for want of proviſions or boats to croſs the lake, which had been deſtroyed by the enemy, in their expedition on the 18th of September, to prevent his retreat to Ticonderoga.

13th Oct. Calls a council of war.

ENFEEBLED by daily loſſes, his proviſions reduced to eight days ſubſiſtence, and numbers of his German ſoldiers being enticed to deſert and become ſettlers, general Burgoyne called a council of war, at which, not only field officers, but captains aſſiſted; and it was unanimouſly reſolved to enter into a convention with general Gates for ſurrender of the army. The convention, after ſome diſcuſſions, was adjuſted, and conſidering the increaſing force and advantageous ſituation of the Americans, the terms were unexceptionable. The troops were to march out of their intrenchments with the honours of war to a certain diſtance, where they were to leave their arms and artillery: they were to have a free paſſage to Great Britain in tranſports from Boſton, on condition of not ſerving in America again during the war, unleſs exchanged. The remaining articles related only to the march of the troops to New England, the return of the Canadians to their homes, and the treatment of the other officers and ſoldiers, until embarked for Europe [b].

Arranges a convention.

16th Oct.

[b] Burgoyne inſiſted on the word convention, inſtead of capitulation, being uſed, in order to aſſimilate it to the treaty of Cloſterſeven, in the ſeven years war, (1756 to 1763,) entered into by the duke of Cumberland with a view to ſaving the diſgrace of a common ſurrender, and by preventing all idea of the troops being priſoners to any power which might afterwards join the Americans, he hoped to get them employed, ſo as to enable Great Britain to ſend an equal number of men to America in the ſpring.

CHAP. XXXI.

1777.

Moderation of Gates.

Surrender of the British army.

GENERAL GATES having every thing to hope from his preſent ſucceſs, and from ſpeedily reinforcing general Waſhington's army, ſuffered his original draft of articles to be modified, ſo as to prevent a further effuſion of blood, and ſpare as much as poſſible the feelings of the Britiſh troops. At the moment of this ſurrender, every circumſtance was avoided which could be conſtrued into an appearance of triumph. The Americans remained in their lines till the vanquiſhed regiments had piled their arms: the captive generals were received with reſpect and kindneſs; a number of the principal officers of both armies met at general Gates's quarters, and ſeemed to forget in ſocial and convivial pleaſures that they had been enemies. The ſoldiers received rations of freſh proviſions from the American commiſſaries, and proceeded inſtantly on their march to Boſton, having no communication with the American troops, for fear of diſputes [c].

Proceeding of Clinton.

NUMEROUS complaints and contradictory allegations and inferences, neceſſarily aroſe from the conduct and iſſue of this affair. A co-operation was expected from ſir William Howe, which he was unable to effect in conſequence of his march to Philadelphia. Sir Henry Clinton was afterward ſolicited to aſſiſt, but no blame attaches to him. This general was ſtationed at New York with a ſmall force, limited, in conſequence of a miſunderſtanding between him and general Howe, to a bare ſufficiency for defence, and under an expreſs prohibition to undertake any operation which could endanger the city. He received, at a late ſeaſon, a reinforcement of ſeventeen hundred recruits from Europe, which enabled him to commence an expedi-

Sept. Expedition up the North river.

[c] The number of men ſurrendered was 5,752, of whom 1,100, being Canadian volunteers, were by the articles permitted to return: 528 were left in the hoſpital when Burgoyne began his retreat to Saratoga; and it is computed that in the other actions, from the 6th of July to the time of capitulation, the loſs in killed, wounded, priſoners, and deſerters, was 2,933. The artillery and ſtores captured conſiſted of 35 braſs cannons and mortars, and 7,000 ſtand of arms, beſides the military cheſt, large quantities of ordnance ſtores, cloathing for 7,000 provincials, tents and other articles. The papers laid before parliament illuſtrative of this campaign, in all its parts, are publiſhed in the Parliamentary Regiſter.

tion up the North river, for the purpoſe of conquering ſome forts which prevented the paſſage of Britiſh veſſels to Albany, and of opening a communication with general Burgoyne, when he ſhould have ſucceeded in his enterprize, of which at that period he had not intimated a doubt.

Takes Forts Clinton and Montgomery.

THREE thouſand men were convoyed by commodore Hotham to Verplank's Point, which lord Rawdon, aid-de-camp to ſir Henry Clinton, had been diſpatched to reconnoitre in a frigate, but had not been able to approach ſufficiently near to aſcertain the practicability of landing. The diſembarkation was effected without 5th Oct. reſiſtance; and general Putnam, deceived by the feint, haſtened to occupy the paſſes on the eaſtern ſhore, with two thouſand men, drawn principally from the forts, convinced that Clinton intended puſhing through the eaſtern highlands to join general Burgoyne. The Britiſh commander, at day-break, paſſed over to Stoney Point, on the weſt ſide of the river, with two thouſand one hundred men, leaving the remainder to defend Verplanks. They marched acroſs the Donerberg, a ſteep mountain, which overhangs the river, and where, as the paſs only admitted three men abreaſt, a ſmall guard could have impeded their progreſs. The Americans had neglected this precaution from a confidence that no attempt would be made; the troops paſſed, and aſſailed at the ſame moment Fort Montgomery and Fort Clinton, divided from each other only by a creek called Poplop's Kill. Colonel Campbell commanded the attack on Fort Montgomery, which, not being ſtrongly fortified, was ſoon taken without any loſs worthy of notice, except that of the brave leader of the diviſion.

FORT CLINTON was built on a rocky elevation, and could be approached only over a paſs, between a lake and a precipice, covered with felled trees, and commanded by ten pieces of artillery. It was neceſſary to attack both the forts nearly at the ſame time, and to delay the attack on Fort Clinton till the engagement

CHAP. XXXI. 1777.

at Fort Montgomery ſhould be judged to have become ſerious. Night rendered the movement of the troops leſs expoſed, and they proceeded in total ſilence, under a tremendous fire, to the foot of the work, where they puſhed each other up into the embraſures. After a ſhort conflict, the rampart was cleared; the Americans, retiring behind the eſplanade, fired a laſt volley, and laid down their arms. Notwithſtanding this provocation, the aſſailants ſhewed a dignified moderation in victory; not a man was ſlain but thoſe who fell in the ſtruggle on the ramparts. One hundred and forty Britiſh troops were killed and wounded; among the former were captain Stewart, major Skill, and count Grabowſky, a Poliſh volunteer, who in his laſt moments ſent his ſword to lord Rawdon, as a teſtimony that he died in a manner not unworthy the partner of his dangers.

The Americans burn their fleet.

THE Americans had in the river an armed force, conſiſting of two ſhips, two gallies, and a ſloop, for the protection of which a maſſy boom, conſiſting of huge rafts of timber, connected by cables, and an iron chain weighing upward of fifty tons, were ſtretched acroſs the river from Fort Montgomery, to a mount called St. Anthony's Noſe. This bulwark effectually ſecured the ſhips from attack by water; but when the forts were taken, their ſafety was at an end. The captains ſilently ſlipped their cables in the dark; but the wind fruſtrating their attempt to eſcape, they fired the veſſels with all their ſails ſet.

Various detached expeditions.

FORT CONSTITUTION was, immediately on the capture of Forts Montgomery and Clinton, deſtroyed by its commandant; and major-general Tryon demoliſhed a new ſettlement called Continental Village, containing barracks for fifteen hundred men. A flying ſquadron, under ſir James Wallace, aſcending the river, ſucceeded in burning a great number of American veſſels. A military detachment, under general Vaughan, landed at Eſopus Creek, and after a ſlight reſiſtance deſtroyed two batteries and an armed galley;

30th Oct. Burning of Eſopus.

the general then continued his march to the town, which he wantonly burned to aſhes, with a great collection of ſtores and proviſions. This expedition did important injury to the American intereſt: the troops returned in ſafety to New York. CHAP. XXXI. 1777.

Howe's orders.

WHEN ſir Henry Clinton was commencing this ſpirited undertaking, he wrote to general Howe, imparting his intentions, with his notions of their importance, but without diſguiſing his opinion that the attempt on the forts was deſperate, though it might be tried without endangering New York. Sir William Howe, alarmed at the vigour diſplayed by general Waſhington in the attack on German Town, diſcouraged Clinton's project, and ordered him, unleſs ſpeedy ſucceſs was certain, to deſiſt, and diſpatch the troops intended to be ſo employed to his aſſiſtance at Philadelphia. This letter, had it been received in time, would have prevented the execution of general Clinton's plan. When he had taken the two forts, he was a hundred and thirty-ſix miles diſtant from general Burgoyne: he had, ſoon after his departure from New York, received a letter, requeſting him to make a diverſion, which the operation he was then engaged in was well calculated to effect; but Burgoyne having yet met with no check, did not ſolicit aid. The day after the capture of the forts, an officer in diſguiſe arrived; but he only repreſented, that if general Burgoyne did not hear of co-operation by the tenth of October, he ſhould be obliged, by the fear of wanting proviſions, to retire to Fort Edward. General Clinton would then have advanced to his relief, but found it impracticable to remove the impediments in the river, and ſecure the requiſite ſtore of proviſions within the time. He had already commiſſioned general Vaughan to proceed with ſeventeen hundred men as high as his pilots could carry him, to co-operate with general Burgoyne, and even join him if neceſſary. General Vaughan had advanced a hundred miles; he was ſtill forty diſtant from Albany, and muſt have traverſed ſixty more to

Clinton's intelligence from Burgoyne.

6th Oct.

CHAP. XXXI.

1777. 9th.

reach Burgoyne; but ſoon after the deſtruction of Eſopus, he wrote to ſir Henry Clinton, that he could obtain no certain intelligence, although what he did learn filled him with apprehenſions. General Burgoyne's ſurrender had then already taken place. Had ſir Henry Clinton endeavoured to move forward, general Putnam was in ſufficient force to fruſtrate the attempt, and general Gates's army, flushed with ſucceſs, had no immediate operation to occupy them after general Burgoyne's ſurrender. He therefore executed all that was poſſible, according to the ſtate of his information, and the extent of his force, in making the diverſion, which he expected would have covered the general's retreat to Ticonderoga; but he could not take the forts, penetrate to Albany, and afterward maintain the communication; and general Burgoyne's want of proviſions, muſt have obliged him to ſurrender without a force ſufficient to open the country for ſupplies [d].

[d] In this chapter, beſides the papers publiſhed by authority of parliament, the hiſtories, and the periodical works, I have conſulted the pamphlets of ſir William Howe, general Burgoyne, Mr. Galloway, and many anonymous writers, and have been aſſiſted by highly valuable private information.

APPENDIX.

# APPENDIX.

## PRECIS of Letters relative to the Interference of France between Ruſſia and the Porte.

*Lord Stormont, Embaſſador at Paris, to the Secretary of State.*

March, 1773.

HIS long converſation with duc d'Aiguillon on Tueſday 30th March. The duke read to him part of a diſpatch from M. Durand, dated 3d March, dwelt long on the ambitious views of Ruſſia, her demands on the Porte, and her aiming to reign deſpotically in the North by regulating the government of Sweden, and by attacking that kingdom in concert with Denmark—that France could not tamely look on, and ſee her moſt ancient ally treated in that manner. Muſt ſupport Sweden, if attacked, being bound thereto by every tie of intereſt and honour. Lord Stormont anſwered, that much depended on the mode of ſupporting Sweden, and that there was one particular mode Great Britain could not receive with indifference—that the king wiſhed to avoid whatever could diſturb the good harmony, and his lordſhip hoped France would avoid the only *pierre d'achoppement* in the way. The duke ſaid we always backed our friendly profeſſions with a declaration which inſiſted on France giving up her honour, by abandoning her old ally threatened with deſtruction, and that France could not do that. On lord Stormont's perceiving that the duke ſeemed to hope we would not carry things to extremity, his lordſhip explained fully and clearly, that a French fleet in the Baltic muſt draw a Britiſh one thither too——propoſed that France might give other ſuccours—that if the two fleets went to the Baltic, the French fleet would be, in effect, no ſuccour to Sweden. That neutrality on both ſides would anſwer the ſame purpoſe. No, ſays the duke, it will

not

not anſwer one great purpoſe, (viz.) the ſaving the honour of France. Lord Stormont fully explained that he had never ſaid, that the Britiſh fleet that would follow the French fleet would attack it, but could not ſay what accidents would happen from two fleets in the ſame ſeas—thought he left the duke thoroughly perſuaded of our being reſolved on what we had often declared, but he feared France was gone too far to recede. If they ſee us upon our guard, and either keep pace or get before them, will operate more ſtrongly than any declaration.

(Private) Paris, 4th April.

A COUNCIL had been held at Verſailles 28th March, in which the duke declared that Sweden demanded and preſſed for the promiſed ſuccours; he was anſwered, that he might arrange matters with the comptrollers general: he replied, that Sweden would not accept a ſubſidy, but inſiſted on a *ſecours de force*. This was ſtrongly objected to by ſome members, who were of opinion that other great powers would not look on ſuch a ſtep with indifference, and it might lead to a general war. The duke perſiſted in his opinion, ſaid, that a fleet of fourteen ſail might be equipped in a month; that England would not oppoſe that ſtep, and Holland would aſſiſt. The French king was out of humour, and the members after declaring their ſentiments, ſaid no more.—Duke's opinion prevailed, and orders were ſent immediately to Breſt, for arming twelve ſhips of the line and two frigates, on board which were to be ſeven thouſand ſailors. This was ſo much above the uſual complement, that it was ſuppoſed to include officers and ſoldiers under the name of ſailors. He was informed early that morning, the 4th of April, that the armament at Breſt would not take place, but that an armament was ordered immediately at Toulon, for twelve or thirteen ſhips, capable of being ready very ſoon, under pretence of exerciſing the ſailors. His informer expreſsly added, that the ſeven thouſand ſailors at Breſt were not countermanded.

(Private.)

Paris, 7th April, 1772.

DUKE, in the conference of the ſixth inſtant, ſaid, that lord Stormont might conſider the armament at Toulon as certain, and mention it as ſuch to his court, that orders were actually ſent; and then added, *ce ſera une flotte d'evolution*,

*d'evolution, come nous en avons eu l'année paſſée.* Long reaſonings on both ſides—lord Stormont, with a proper firmneſs, declared, that though he had not in the former diſcourſe mentioned the Mediterranean, yet the argument he had before made uſe of, applied full as ſtrongly to the Mediterranean as to the Baltic, and on aſking the duke if he ſeriouſly meant, that he ſhould ſay the fleet was only meant for evolutions, he replied that he meant it, but that it was indeed poſſible, *qu'elle paſſeroit au ſecours de la Suede.*

(Private.)

Paris, 21ſt April, 1773.

LORD STORMONT had heard that in a council held the 12th of April, the duke had given a candid and fair report of their converſations, and that the reſolution of the council was unanimous, by which he hoped it was a moderate one. That towards the end of the week, which muſt be about the 15th or 16th, it was reported about Paris, that the armament at Toulon was ſuſpended or conſiderably reduced—this was confirmed on the Sunday evening the eighteenth. On the 20th he ſaw the duke, who ſaid, in a careleſs manner, *auſſi avons nous donné ordre de ſuſpendre l'armement de Toulon;* he then ſaid, that two frigates only would be ſent to the Archipelago, and three ſhips of the line to Breſt, to which department they belonged. The other nine ſhips and the frigates deſtined for the *flotte d'evolution* would be ſuſpended till the latter end of the ſummer, when he hoped the fitting of it out would cauſe no ſenſation; that M. de Guines had orders to give this intelligence. He added, that the ſailors that were to have been raiſed and ſent to Toulon, were countermanded: that thoſe actually arrived there, belonging to Provence and Languedoc, were ordered back; thoſe from Bourdeaux would be employed to navigate the three ſhips from Breſt. On the ſame day he told ſome of the foreign miniſters, that the armament was ſuſpended till July.

27th April, 1773.

LORD STORMONT had a conference with the duke on the 26th April; begun by ſaying,—ſo, my lord, you are, I find, making a conſiderable armament. His lordſhip anſwered, that that armament had been ordered in conſequence of the armament at Toulon, *et que leurs demarches regleroient*

*ent les notres*; this was thrown out in order to give him a reaſonable expectation, that the late change in their reſolutions might produce a ſimilar one in ours. Lord Stormont ſubmits whether it may not be adviſeable, as they ſeem diſpoſed gently to drop the deſign, to let them do it in their own way.

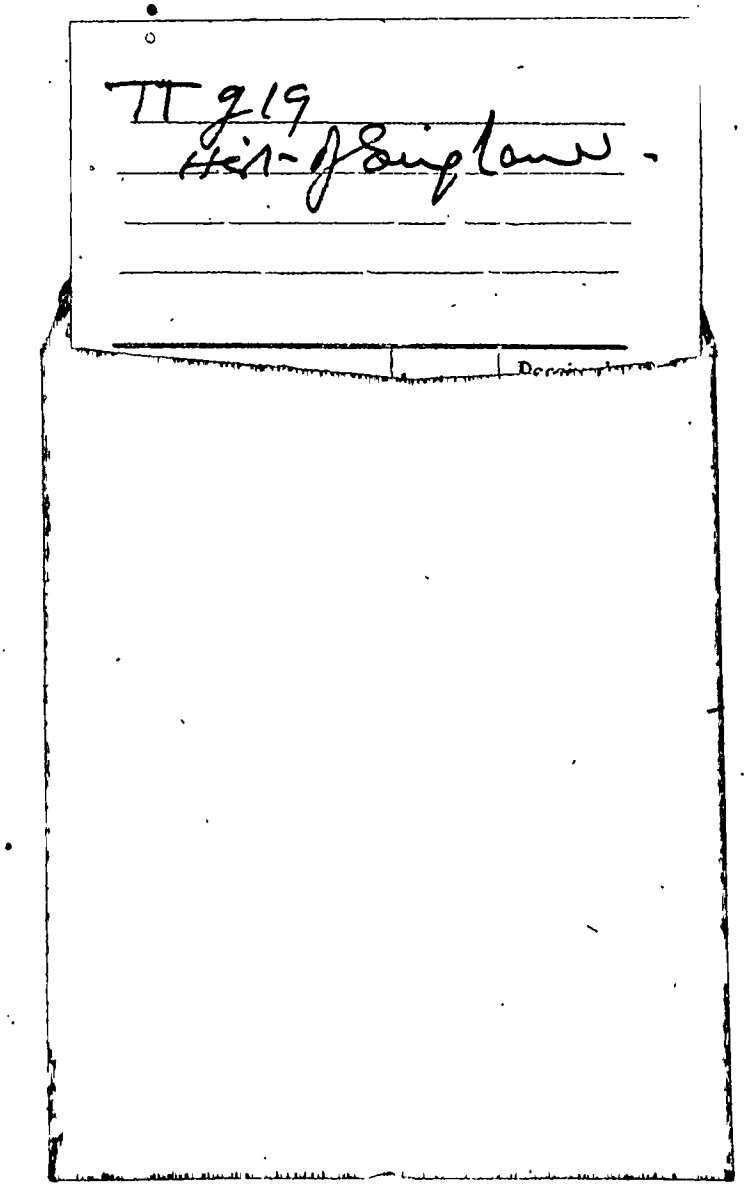
Paris, 30th April and 1ſt May 1773.

HAD a conference with the duke, 30th April, to clear up the *mal entendu*. The reſult was, the duke ſtill declared that the armament was ſuſpended; that what he had ſaid, and what count de Guines had written, was in effect the ſame. That as they never armed any ſhip in the harbour, the ſaying that their ſhips would remain in the harbour, was ſaying that they would not be armed.—He added, that he had ſeen the orders given by M. de Boyne, which were explicit, not to arm *juſqu' à nouvel ordre*; repeated what he had ſaid on the 20th April, about the deſtination of the ſailors, and added, that that very day (30th April) M. de Boynes had obſerved to him, that it might be better to countermand the baking of the biſcuit, and meant to give orders accordingly.

END OF THE SECOND VOLUME.

Strahan and Preſton,
New-Street-Square, London.

00031348




Digitized with financial assistance from the
Government of Maharashtra
on 02 January, 2016